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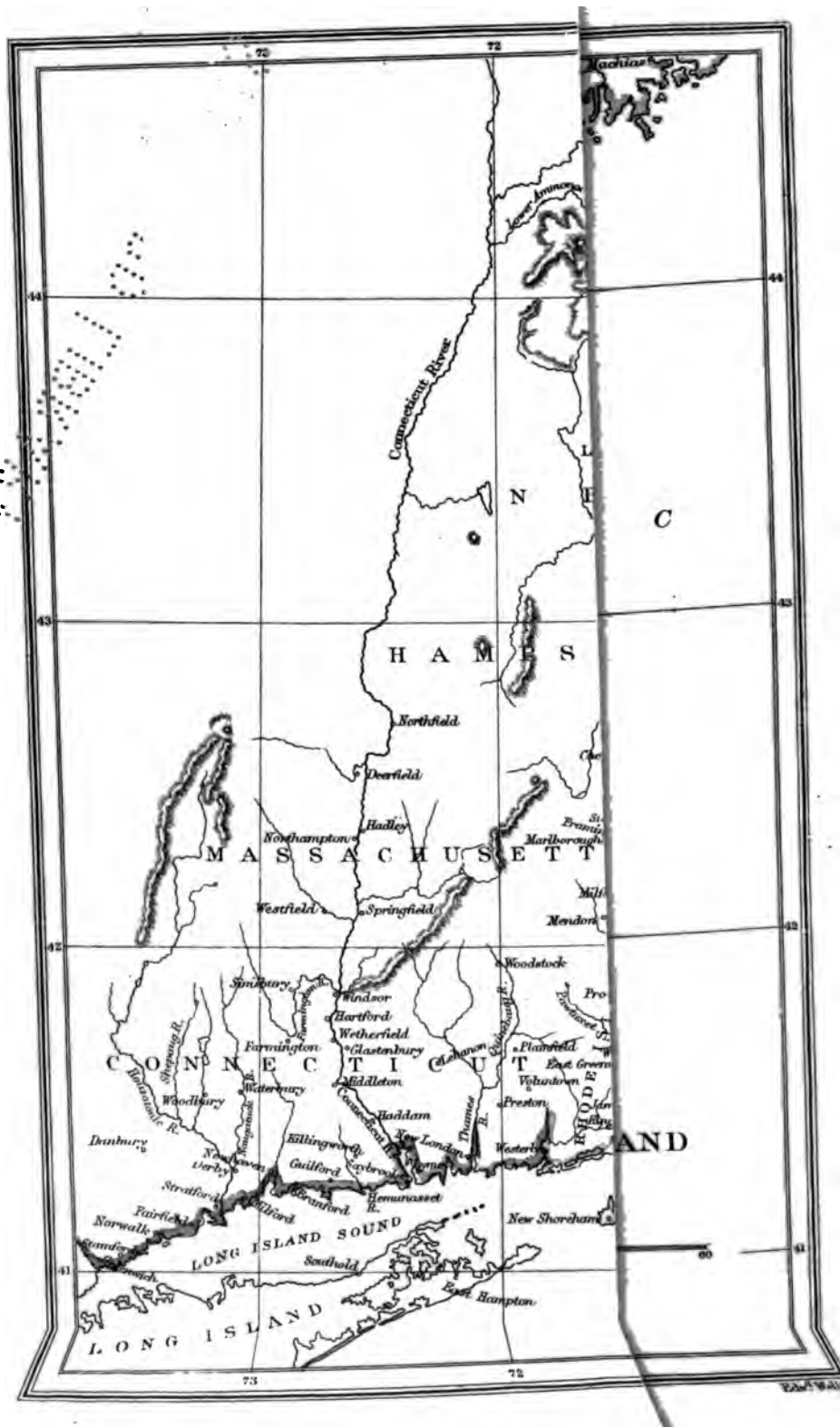
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ENGLISH COLONIES IN AMERICA

VOLUME, III.

THE PURITAN COLONIES

IN TWO VOLUMES—VOL. II.

BY

J. A. DOYLE, M.A.

FELLOW OF ALL SOULS COLLEGE, OXFORD

'The ages of isolation had their use, for they trained men for ages
when they were not to be isolated'

BAGEHOT, *Physics and Politics*



NEW YORK
HENRY HOLT AND COMPANY

1889



ENGLISH COLONIES IN AMERICA

By J. A. DOYLE, M.A.
FELLOW OF ALL SOULS' COLLEGE, OXFORD
8vo. \$3.50 per volume

*VOL. I.—VIRGINIA, MARYLAND,
AND THE CAROLINAS.*

*VOL. II.—THE PURITAN COLO-
NIES, VOL. I.*

*VOL. III.—THE PURITAN COLO-
NIES, VOL. II.*

*VOL. IV.—THE MIDDLE COLO-
NIES.*

*VOL. V.—THE COLONIES UNDER
THE HOUSE OF HANOVER.*

HENRY HOLT AND COMPANY
Publishers New York

177603

Y8A98L1 08079AT8

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ENGLISH COLONIES IN AMERICA.

CHAPTER I.

NEW ENGLAND IN 1650.¹

A PERFECT history would leave no room for disquisitions. Every stage in the political, social, and industrial life of the nation would be illustrated by incidents woven, or rather seeming spontaneously to weave themselves, into the narrative. But that which would be out of place in a perfect history may be tolerated as a necessity in an imperfect one. The writers who can bring in every incident needed for illustration, and every reflection that gives a consecutive meaning to their work, without breaking the thread of their story, are rare exceptions. One who does not feel that power will do better to conform to usage, and to present in a general summary a picture of the epoch with which he deals, so far as it lies outside his direct narrative.

¹ It is obviously impossible to enumerate the authorities for this chapter. Indeed some portions of it are from their nature incapable of exact and specific proof. Nearly all the writers whom I have quoted have been already mentioned. The chief exceptions are: *The Diary of John Hull*, the Master of the Mint, published in the third volume of the *Archæologia Americana*. *The Diary of Samuel Sewall*, Hull's son-in-law. This forms the main part of the *Sewall Papers*, published by the Massachusetts Historical Society as the fifth, sixth, and seventh volumes of the fifth series. They are lettered *Sewall Papers* volumes i., ii., iii., and it is in this form that I refer to them. Sewall was a leading public man and as such he will repeatedly come before us at a later period. *The Journal of Sarah Kemble Knight*, written in 1704, first published in 1825. Both Sewall and Mrs. Knight deal with a later age. Nevertheless on some points their writings throw light on the time with which we are dealing.

A good deal concerning the social and industrial life of New England may be learnt from the preface to Mr. C. Upham's *History of Salem Witchcraft*, published in 1867.

This is perhaps specially true of one who deals with the history of a colony. For there the material growth of the community, the increase of population and wealth, and the improvement of natural resources occupy an even more important place than they do in a long settled country.

These at the same time are the very points which are apt to elude a writer in describing the course of affairs. Political and religious conflicts, battles and campaigns, these form the landmarks in the historian's track. Conspicuous events in the course of trade and industry, great and sudden social changes, come under the same head. But that progress which is too slow and uniform to be marked, real though it be, leaves no vivid picture on the canvas of history. And in the life of a colony gradual and imperceptible steps in economical growth are all important. Usually a colony is for the most part made up of men who have come thither to better their material condition. Of New England that is not strictly true. But we may safely say that with every colonist the improvement of his material condition entered largely into his scheme of life. No political settlement would be accepted as satisfactory which did not leave full scope for commercial progress. Nor can there be any national life worthy of the name till a certain amount of material prosperity is secured. The superfluities of life and every step in social progress for which the superfluities of life are needful must wait, they can only become objects of thought after the primary wants of man's nature are satisfied.

Especially is this true of the increase of population. In an old settled country this must always be an important matter, and may at special times become one of supreme weight. A sudden mortality, such as the Black Death, may through its economical results work a social and political revolution. A rapid increase of population under unsound economical conditions may, as in England at the beginning of the present century, make revolution possible. But this is very different from the constant and preponderant influence which the question exercises in a colony. The resources of a new country are a locked treasure-house to which population is the key. In New England the matter was not merely one of economical but also of military importance. The first colonists were a garrison, too intent on the need for defense to make full use of the natural resources at

their command. Every increase to their numbers, every secure extension of their territory, helped to free them from that restraint.

In the case of the southern colonies the system of administrative supervision from without has furnished us with full statistics of increase. In the case of New England no such system existed, but the want is to some extent otherwise supplied. Every settler who came to New England formed part of an organized movement. Every head of a family belonged to a township, if not to a church. Thus, when a Massachusetts writer of the first generation mentions the number of households which had gone to make up the colony, we may believe that his statement is more trustworthy than such calculations often were in the days when exact statistics were unknown. According to Edward Johnson, the author of the *Wonder-working Providence*, by the year 1643 twenty-one thousand two hundred emigrants had come out to Massachusetts.¹ Of these some had returned to England, others had been scattered abroad by the Antinomian persecution. But the natural increase of population must have nearly made up for this drain, and, if we accept Johnson's statement, we can hardly err in estimating the population of Massachusetts in 1643 at about twenty thousand. A modern historian has inferred from this, by a not unreasonable conjecture, the whole population of the four confederate colonies. In the same year in which Johnson arrives at this estimate the Federal Commissioners made a levy on each colony, proportioned to its population. Massachusetts was reckoned at five times the numbers of Plymouth and Connecticut, and six times that of Newhaven.² We may safely estimate the population of the last named at something over three thousand, that of the other two at four thousand each.

By 1660 the population of the confederated colonies, together probably with that of Maine and New Hampshire, amounted to eighty thousand.³

Besides the natural falling off in emigration when the first impulse had abated and when the best land was occupied, two other

¹ Johnson, bk. i. ch. 14.

² Acts of Commissioners, vol. i. p. 12. The calculation is Mr. Palfrey's (vol. ii. p. 6).

³ This is stated in an address from the freemen of Massachusetts to the King immediately after the Restoration. Though drafted, it does not appear to have been sent. It is printed for, I believe, the first time by Mr. Poole in his preface to Johnson. Mr. Poole in a note, goes very fully into the question of population.

causes operated to check the influx of settlers. Some of those who had been among the most energetic friends of New England, such as Lord Say and Sele, had now set up a rival colony at Providence, in the West Indies. The attractions of a more fertile soil, where capital might be profitably invested on a large scale in slave labor, enticed away some of the wealthy settlers of Massachusetts.¹ At the same time the promoters of the new colony, in their eagerness to enlist emigrants, spread disparaging reports about New England, a proceeding which not unnaturally called forth a remonstrance from Winthrop.² But the new venture was nothing more than a commercial speculation. It had not at its back any religious enthusiasm, any corporate sense of a common end such as bound together New England. The soil and climate of Providence did not suit the physical constitution or the industrial habits of the English yeoman. The emigrants who left Massachusetts for the new colony did not prosper, perhaps because the men to whom such a change was attractive were not the best material for a plantation. But by the time that this rivalry had ceased another cause was at work to stop emigration to New England. That state of things which had first driven men thither was no more. Englishmen of Winthrop's stamp had no longer any need to despair of their country. There was too much work for the Puritan to do in England to let him think of founding commonwealths beyond the Atlantic. Henceforth at special times there might be an influx towards New England of refugees rather than colonists, but the regular supply of population from the mother country ceased. The emigrant who wished to take his labor and his capital to the best market would join one of the southern settlements rather than force his way through that hard barrier of religious and social exclusiveness which fenced in a New England township. Thus from the time that the four colonies were united New England had to depend for population mainly on its own natural increase.

¹ Recent investigations have conclusively proved that the Puritan settlement was not at Old Providence in the Bahamas, but at New Providence in the Caribbean Sea. The whole question is fully discussed in an article by Mr. Noel Sainsbury in the *Athenaeum*, May 27, 1876.

² Winthrop's letter to Lord Say and Sele is not extant. Winthrop himself gives an account of the correspondence and of the circumstances which led to it (vol. I. p. 333). Lord Say's answer is published among the Winthrop papers (*Mass. Hist. Coll.*, 5th series, vol. I. p. 207). It is also given in an Appendix to Winthrop's life.

In the conditions of New England life there were conflicting causes at work, one stimulating, the other limiting the increase of population. On the one hand early marriages were the rule. Moral and economical conditions both worked for this end. The records of New England afford painful proof that, when the Puritan did break away from the moral conventions under which he lived, his lapse might be a terrible one. But no one can doubt that the ordinary New Englander lived up to an exacting moral code, imposed by the rigid public opinion of a small community where every man's ways were known to his neighbors. Moreover the political and ecclesiastical system put a premium on early marriage. There is ample proof in the legislative records that an unmarried young man living by himself was an object of suspicion.¹ We may be sure that church-membership was granted to such none too readily. The whole system of life in a New England town presupposed a community of households, not a community of individuals. One may indeed find a likeness to the system of *patria potestas* in the legislative provisions against the stubborn and undutiful son. In Massachusetts,² Connecticut,³ and Newhaven⁴ such an one might be tried and sentenced to death. From this system, a system approaching to domestic servitude, the son could only emancipate himself by becoming the head of a household.

It is scarcely needful to point out how, under the conditions of colonial life, all the prudential restraints on early marriage ceased to exist. So far as they operated at all, they would operate with those who had been accustomed to a certain amount of luxury. Our detailed knowledge on this subject is necessarily derived from family registers and biographies, and it is only in the case of the rich that such evidence is accessible. We may be sure that in founding our opinion on such evidence we shall be understating, not overstating, the case. Our material fully justifies us in saying that in New England, in the seventeenth century, a bachelor over twenty-one or a spinster over twenty was an exception, and this

¹ In the Connecticut code it was enacted that no young man without wife, servant, or public office might keep house by himself, or be taken as a lodger in a family, unless the magistrates gave leave (Connect. Records, vol. i. p. 538).

² Mass. Records, vol. ii. p. 179. According to Hutchinson, there had been several trials under this law, but only one conviction, that of Porter, which will come before us again.

³ Connect. Records, vol. i. p. 515.

⁴ Newhaven Records, vol. ii. p. 572.

view is borne out by the testimony of more than one trustworthy witness.¹

Marriages in New England too were not only early but fruitful. It is held by physiologists that the life of a cultured community, where the intellectual faculties are unduly stimulated, is unfavorable to increase, and that on the other hand a rude outdoor life of manual toil, such as the New Englander led, works in the opposite way. Nor is it unlikely, from the analogy of the lower animals, that a change of climate and external surroundings will in itself make a race more prolific.

On the other hand these tendencies were perpetually kept in check by the great loss of life during childhood. Here we may apply the same argument as in the case of early marriages. Our knowledge is derived from those very classes which we should naturally suppose to be most exempt from the operation of the law. In going through any of the genealogies handed down from the early days of New England life, one cannot fail to be struck with the number who have died in infancy. If this were so in thriving and educated households, among the Winthrops and Sewalls and Mathers, where the children were spared as far as might be from hardship, were tended with intelligence, and had the benefit of such scanty medical skill as the colony could boast, how would it be with the family of a yeoman or artisan in an outlying village? The change of climate telling on a race not yet inured to it, the winter air of New England imperfectly kept out by a rough log hut, go far to explain this. It is hardly fanciful to think that the gloomy training of a New England household, with its monotony, its utter lack of moral sunshine, may have helped.

By the joint operation of these laws the population of New England was at once abundantly replenished and ruthlessly weeded. Like a tribe of savage men or of wild beasts, it was exposed to a pitiless process of selection. Such a process must conduce to the physical vigor of a race; it would develop those qualities which accompany physical vigor and depend on it. But there are other qualities to which it would

¹ For illustrations of this and the following paragraph see Appendix C. It is confirmed by Mrs. Knight (p. 39), and by Ward, the author of a dull and scurrilous book of travel, *A Trip to New England*, 1699 (p. 10). Both these writers refer to a later date, but there is no reason to think that things had changed.

be fatal. That the spirit of a Shelley could ever have shaped itself in the life of New England was impossible. But the impossibility dated from a stage earlier than that of training and culture. The birth of a possible Shelley in a Puritan household would have been a striking instance of what physiologists call atavism. But even if the portent had occurred, we may be pretty sure that "died in infancy" would have been the only record of it in the family register. Physical selection was part of the process which was forcing the character of the American Puritan into a narrow and rigid mold.

Just as in our own country place-names enable us to determine the limits of Scandinavian invasion, or at times to discover the traces of the earlier Celtic inhabitant, so the map of New England towns.¹ New England tells us at a glance many facts as to the sources from which the country was settled. Some names may be set aside as being merely descriptive, and therefore uninteresting. Such are Roxbury, Fairfield, Deerfield, and it may be, though there is a doubt, Springfield. Here and there the Indian name survived. When it did so it was almost always where a settlement had sprung up and become practically a distinct township before it had been legally and formally incorporated. Such are Kittery, Monomony, and Scituate. A few names, chiefly those of seaports, were given from a sort of fanciful analogy. Such were Yarmouth, Dartmouth, and Milford. In later days New England names were sometimes given, as so often in the southern colonies, after English statesmen. But in the seventeenth century such names as Walpole and Sunderland were unknown. Places occasionally took their names from the leading man, either layman or pastor. In this case the town was named, not after the individual, but after his former abode. Thus Duxbury, Groton and Haverhill commemorated the birthplaces of Standish, of Winthrop, and of Ward.

Lastly we come to those cases where the community, having moved as a corporate body, reproduced the name of its old dwelling-place. A glance at the map will at once show us how the eastern counties were the main source from which New En-

¹ The question of place-names in New England has been very fully dealt with in two monographs. One is a paper by Mr. G. H. Whitmore on the *Origin of the Names of Towns in Massachusetts*, published in the *Proceedings of the Massachusetts Historical Society* for 1873. The other is *The History of Connecticut, as Illustrated by the Names of her Towns*, by Franklin B. Dexter, republished in 1885 from the *Proceedings of the American Antiquarian Society* for that year.

gland drew her population. Suffolk and Essex largely preponderate, and Norfolk has a few representatives. A Yorkshire band of emigrants gives its name to Rowley, perhaps another to Middlesborough. Berkshire contributes Newbury, Worcestershire perhaps Eastham, but with that one exception there is no trace of any emigration from the Midlands.

As we have seen, the town was not a collection of householders brought together, as in a new colonial settlement of the present day, from divers quarters and with widely differing interests and pursuits, attracted to the same spot only by its fitness for helping them to make a livelihood out of the soil, or a fortune by trade. ^{The township.} The New England town was from the outset a corporation constituted by the legislature of the colony. Not that its corporate character depended on an act of the legislature. The township consisted of men bound together by community of thought and purpose, often, as we have just seen, by previous neighborhood and identity of birthplace. The nucleus of the settlement was usually the church. The township might, probably always did, include members who stood outside the church, but these must nearly always have accepted the ministrations of the pastor, and been in general conformity with the religious views of the rest.

In every one of the New England colonies the relations of the whole community to the township underwent the same process of development. In each case the township was either prior to the settlement or identical with it. In Plymouth the state and the town were for sixteen years identical. Massachusetts passed through the same stage, though with far greater rapidity. In the case of Connecticut certain townships, which enjoyed each its own municipal constitution, were severed from the parent colony and then bound together to form a state. Newhaven and Rhode Island were made up by the consolidation of separate town communities. The result of this was that in no case did those who originally framed the constitution of the colonies foresee the need for determining the relations which should subsist between the smaller corporations which composed it. We have already seen one consequence of this, in the process by which each colony worked out a system of representative government as it was needed. Another result was that in each case, after the process of extension or of consolidation had begun, it was necessary for the

legislature to define by positive enactment the position of its several members.

This was done in Plymouth in 1638 by an order of the General Court, fixing the form of commission which was to be granted to those who were about to form a town.¹ Their power **Legal position of the town.** extended to the two essential portions of the township, the land and its occupants. They were to receive "peaceable and faithful persons," and to dispose of land. The latter power however was expressly limited by the reservation of a certain quantity of the soil to be under the control of the whole legislature. In Massachusetts an act was passed in 1636, empowering each township to dispose of lands, to make orders for such matters as concerned its own inhabitants, to choose municipal officers, and to levy certain rates.² An act identical in substance was passed by the legislature of Connecticut in 1639.³ In neither of these cases did the act which conferred power on the township define its position as a self-elective body. In Plymouth the right to admit and exclude was expressly conferred on the township by enactment in 1643.⁴ In Massachusetts the right to exclude was apparently a matter of usage and not of positive enactment. That it existed and was exercised by the townsmen through their elected representatives is clearly shown by surviving records.⁵ In Connecticut this was settled by an act passed in 1643, ordering that only those should be received as inhabitants who had been so admitted by the major part of the town.⁶

It is to be noticed that the result of this system was, at least in theory, to vest the right of conferring citizenship on the different **The town a self-elective body.** town governments. We may even go further, and say that it empowered them to decide, not merely who should enjoy a share of civic rights, but who should be allowed to live within the boundaries of the colony. Thus the man who could find no township to admit him could not dwell in New England, unless, it may be, as a hired servant, just as in Massa-

¹ Plymouth Records, vol. i. p. 113.

² Connect. Records, vol. i. p. 36.

³ See the extracts from the town records of Woburn, given by Mr. Poole in his preface to the *Wonder-Working Providence* (p. lxxxiii.). This is further illustrated by an enactment, passed in 1655, to enable townships to protect themselves from becoming chargeable for paupers who might be brought in without the consent of the townsmen. The preamble to the act speaks of strangers "pressing in without the consent and approbation of the inhabitants, and no law to prevent the same" (Mass. Records, vol. iii. p. 376).

⁴ Connect. Records, vol. i. p. 96.

⁵ Mass. Records, vol. i. p. 172.

⁶ Plymouth Records, vol. xi. p. 40.

chusetts or Newhaven the man who could find no church to admit him could not enjoy any civic rights. Here we may be sure there was no danger of conflict. Exclusion by the township was a system in strict conformity with the principles on which New England was constituted.

At the same time, while the township had the full right to exclude, the right to admit was always subject to the control of the central legislature. In extreme cases the state reserved to itself the power of banishment. But, even setting that aside, in none of the three colonies above named did membership in a town carry with it full political rights in the colony. The townsman must be also admitted by the General Court as a freeman.¹ So too we find the central legislature exercising a supervision over the manner in which the township used its rights of admission. In 1638 certain inhabitants of Scituate were charged before the General Court with receiving strangers and foreigners without a license from the Governor and Assistants, and without acquainting the town therewith.²

In Newhaven and Rhode Island, on the other hand, the absence of positive enactment leads one to assume that local citizenship, conferred in the one case by the church, in the other by the town, carried with it the full rights of a freeman. If this be so it is easily explained by the fact that in each of these colonies the town as a corporation was older than the colony.

The actual process by which a town was formed, may perhaps be best understood from two instances. The author of the *Creation of a town.* Wonder-working Providence has left a minute account of the manner in which his own town, Woburn, came into being.³ A tract of four miles square was set off by the General Court, and vested in seven men on the understanding that they would build houses and create a town. To this end they were empowered to grant land to individuals. Sixty families were soon gathered together. The seven grantees were allowed to exercise a certain amount of choice, excluding all who were "exorbitant and of a turbulent spirit, unfit for civil society." Each inhabitant received two plots of land, one, the home lot of

¹ Plymouth Records, vol. xi. p. 65; Mass. Records, vol. i. p. 117; Connect. Records, vol. i. p. 418.

² Plymouth Records, vol. i. p. 106.

³ Johnson, bk. ii. ch. 22, and preface, p. lxxx.

meadow in the neighborhood of the meeting-house, the other of "upland," further off, to be cleared and tilled. Nearness to the meeting-house was held to enhance the value of a home lot, and those who were less favored in this matter received a larger share. The corporation, as represented by the seven trustees, acted as a landlord and received from the original settlers a rent of sixpence per acre, and from those who came in afterwards a shilling. The town itself was not allowed to spring up according to the fancy of the inhabitants, but was methodically laid out in streets by the trustees.

In this case civil union came before ecclesiastical. But before the trustees took any steps towards acting on their powers as a corporation, a minister was chosen, a meeting-house built at public cost, and a church formed under a covenant binding its members "to walk together in the ordinance of the Gospel and in mutual love," and "to renounce all errors and schisms and by-ways contrary to the blessed rules revealed in the Gospel." The seven trustees formed the nucleus of the church as of the township. But the two corporations were distinct. The church never professed to be co-extensive with the town, but only received from time to time such citizens as of free choice attached themselves to it.

Each New England township was a little commonwealth with its own representative government. In each there was an executive council, appointed by the townsmen. The members had no common name, nor can we say that their functions in the various colonies were exactly the same. Yet there can be no doubt of the identity of the institution. In Plymouth it was enacted in 1658 that every town should choose three or five select men to manage its affairs, and to act as magistrates in civil cases of less than forty shillings value.¹ In Massachusetts it is equally clear that they existed, though their positions and functions are not so definitely set forth. There they are known indifferently as the "selectmen,"² the "selected townsmen,"³ and the "chosen men for prudential affairs,"⁴ and once as the "prudential men." Their duties are clearly indicated by an order of Court made in 1658 to the effect that when there are no Selectmen the townsmen shall have their votes in the ordering of schools, herding of cattle,

¹ Plymouth Records, vol. xi. p. 143.

² Mass. Records, vol. ii. p. 223, and elsewhere.

³ *Id.* p. 4.

⁴ *Id.* p. 9.

laying out highways, and distributing of lands.¹ It was also the duty of the Selectmen to supervise domestic industry by requiring the women and children in every household to spin or weave a certain quantity of stuff every year.²

In Connecticut the same act which gave to the towns the position of corporations also empowered them to elect magistrates who should try small cases. In 1643 it was ordered that each town should elect "seven able and discreet men to take the common lands into serious and sad consideration."³ Thus, whether the executive and judicial functions were conferred by the same enactment or not, it is clear that they tended to center in the same persons. The Selectmen were responsible for the admission of new members, for the schooling of children, and usually, though not always, for the management of the common land.

Besides the Selectmen there were smaller local officials.⁴ There was in each town a Constable, with duties corresponding closely to those of the same official in England, and there were also certain functionaries called Tithingmen, whose business it was to enforce church-going and those smaller duties lying between the spheres of law and morality which every New England town expected from its inhabitants. It is to be noticed that, though the Constable was appointed by the town, he was presented to the General Court, and his nomination thereby ratified. Moreover, both the Constable and the Selectmen were directly responsible to the General Court. Thus every New England colony was a shell, a framework containing within itself other organized bodies, each with its own staff, deliberative, executive, and judicial. In exceptional and important matters the government of the colony acted directly on the individual citizens; in much of the ordinary routine of life it dealt with them through the machinery of the township.

Of the various rights of the New England township the most important perhaps were the territorial. In Virginia the Governor and his Council, as the representatives of the Crown, made over a tract of land to an individual as a tenant for life, paying a quit rent. In Maryland or Carolina the same process took place,

¹ Mass. Records, vol. iv. pt. i. p. 335.

² *Ib.* p. 256.

³ Connect. Records, vol. i. p. 100.

⁴ A good deal may be learnt on this point from two monographs in the Johns Hopkins series, entitled *Saxon Tithing-men in America* and *Norman Constables in America* both by Mr. H. B. Adams.

except that the grant was made, not by the Crown, but by the Proprietors. But in New England the soil was granted by the government of the colony, not to an individual, but to a corporation. It was from the corporation that each occupant derived his rights. Nor was this corporate claim to the land a legal technicality, like the doctrine that the soil of England belongs to the Crown, and that all estates in land are derived thence. The New England township was a landholder, using its position for the corporate good, and watching jealously over the origin and extension of individual rights. At the same time the colonial government did not wholly abandon its rights over the territory. For example, we find the General Court of Plymouth in part revoking a grant of lands at Mattacheese, or, as it was afterwards called Yarmouth, on the ground that the territory in question had not been fully occupied. It was accordingly enacted that those settlers who had actually taken up lands should continue to enjoy them, but that the township should not be allowed to make any further distribution.¹

As we have already seen, the territorial system of the New England town took almost spontaneously a form closely resembling the manor. Part of the land was granted in lots, part was left in joint pasture, part was to be tilled in common. Though this was cultivated on a uniform system, yet apparently it was cut up into strips which were allotted, not in annual rotation, but in permanence, to the different holders. The records show that the mode of tilling the common fields was at times a subject of dispute. Usually it was under the management of the Selectmen; sometimes the whole body of freeholders decided on the crops which should be sown, and the treatment of the soil. The records of each colony furnish us with illustrations of the territorial rights of the township and the fashion in which they were exercised. The Plymouth Records contain a detailed account of the settlement of Sandwich.² There a certain portion of the land was reserved for the township, to be either mown by common labor and for the common profit, or else let out in allotments as should seem best to the townsmen. The rest of the tract was divided into permanent holdings, varying from forty-two acres to one acre.

The Massachusetts Records contain a report perhaps even

¹ Plymouth Records, vol. i. p. 120.

² Plymouth Records, vol. i. p. 148.

more instructive. Certain discontented landholders at Watertown had brought their grievances before the General Court. The Court appointed commissioners to investigate the matter, and, as it would seem, to act as arbitrators. From their statement it appears that the public corn land at Watertown had been divided into strips, and these assigned by lot. In some places the boundaries had been obliterated. In other cases there was "disorderly addition of lots," caused probably by the inability of holders to till their portions, which thus lay vacant, and were seized by their neighbors. Where such encroachment could be proved, or where the inequality of contiguous lots raised a strong presumption of its existence, restitution was to be made. When that was impossible, then the aggrieved party was to be compensated out of the public land not yet occupied.¹ Besides the pasturage, the common land of the town was a source of wealth through its timber. Both in Plymouth and Massachusetts there were express enactments to prohibit the cutting of wood on the public territory.²

It is not difficult to construct a rough picture of a New England town. It was usually made up of wooden houses each standing in its own orchard, arranged for the most part in streets. We do not read of a market place; the two unfailing and significant symbols of corporate life were the meeting-house and the school.

On the coast, where there was no fear of a sudden Indian attack, the towns were left open. Indeed it is clear from Johnson's account that some, such as Lynn and Newbury, were not compact villages, but rather groups of farmsteads, such as one may see at this day in South Germany.³ Thus in the case of Watertown the chronicler expressly tells us that "her inhabitants have scattered in such manner that their Sabbath assemblies prove very thin, if the season favor not, and hath made this great town to show nothing delightful to the eye in any place."⁴ Along the valley of the Connecticut, and no doubt in remote settlements, such as Dedham and Lancaster, greater caution was needed, and

¹ Mass. Records, vol. III. pp. 381-4.

² Plymouth Records, vol. III. pp. 4, 518; Mass. Records, vol. I. p. 202.

³ Johnson, bk. I. ch. 22, 31.

⁴ *Ib.* ch. 23.

there the town was enclosed by a wooden stockade.¹ But in the generality of cases the cleared ground about the town would be occupied by farmsteads. Ordinarily the township must have been an oasis of cultivated land, extending, it may be, two miles each way, and surrounded by forest and jungle. But in some cases variety of soil and convenience of water must have tempted the settlers to straggle, so that the holdings under tillage would be interspersed with uncleared land. In Plymouth indeed this tendency went so far that some of the townsmen were isolated from public worship. The legislature sought to check this tendency by enacting that in future no person should be allowed to settle on unoccupied land, unless he had with him "such a competent company or number of inhabitants as the Court shall judge meet to begin a society as may in a measure carry on things in a satisfactory way both to civil and religious respects."² In other words, the colony was to consist of compact villages, not of scattered homesteads loosely grouped about certain central points. At the same time another indirect check was applied by enacting that all land granted should be assessed, whether occupied or not, and thus withholding landowners from taking up a small portion of their estate, chosen for its fertility or convenience, and leaving the rest uncleared.³ With the same view the legislature of Massachusetts enacted that if any land remained unoccupied for three years the grant should lapse.⁴

The ordinary New England house was a substantial two-story building of wood. Space and building material were plentiful,

and, as far as one can judge, the house of an ordinary
Houses.

New England settler was fully as commodious as that of a farmer or tradesman in the mother country. Our best authority on this subject is a collection of wills published among the Connecticut Records. These contain inventories of furniture which necessarily enumerate all the rooms in a house. In a few cases the ground floor seems to have consisted of a large single room, warmed by a fireplace at each end. But more usually there was a large room, called the hall, a parlor opening from it, which could at need be used for sleeping, and two upper cham-

¹ To this point see the *Germanic Origin*, a monograph to which I have referred at vol. i. p. 73.

² Plymouth Records. vol. xi. p. 140.

³ *Id.* pp. 143, 223.

⁴ *Mass. Records*, vol. i. p. 114.

bers. The best houses went beyond this. Thomas Hooker, the minister who headed the Connecticut migration, was probably among the richest men in the colony, since he owned books to the value of three hundred pounds. From his will we learn that his house contained a hall, a kitchen, two parlors, neither of them apparently used as bedrooms, and four upper chambers.¹ Brick and stone buildings were not unknown, though in every town but Boston they must have been an exceptional feature.² An entry in the Plymouth Records shows us that in 1645 glass windows were not uncommon in that colony,³ and we may be sure that any luxury which was known in Plymouth would be common among the wealthier settlers of Massachusetts. A fair idea of the ordinary furniture of a house may be gathered from the same source. The rudeness, rather perhaps than the rarity, of wooden articles, chairs, tables, and presses may be inferred from the fact that they are seldom mentioned. Plate is scarce, but not wholly unknown. Of musical instruments there is no trace, save in one case, where jew's-harps form part of a trader's stock.

As we have seen, the natural advantages of Boston enabled it at the very outset to supersede Charlestown as the capital of Massachusetts. Johnson, usually very full in his statistics, tells us

nothing of its population. He describes the "city-like town," guarded by its two hills, each crowned with cannon, with its "comely streets" and its "buildings, beautiful and large, some fairly set forth with brick, tile, and stone."⁴ The rapid growth of the town, and the consequent increase in the value of building sites, was shown by the rows of houses standing close together, not, as in the other New England towns, surrounded by gardens and orchards.⁵

Next in importance came Ipswich. It could not compete with Boston as a center of trade, but the fertility of the soil immediately about the town enabled it to supply the capital with corn and cattle.⁶

¹ Connect. Records, vol. i. p. 501.

² Joscelyn, in *Mass. Hist. Coll.*, 3rd series, vol. iv. p. 317. A letter from Brewster to the younger John Winthrop, written in 1657, concerning a house which was being built for the latter, plainly implies that it was to be of stone (*Mass. Hist. Coll.*, 4th series, vol. vii. p. 82).

³ Plymouth Records, vol. xii. p. 118.

⁴ Johnson, bk. i. ch. 18.

⁵ Joscelyn, describing the town in 1663 especially notices the houses, close together on each side of the streets as in London.

⁶ Johnson, bk. i. ch. 30.

Save that the dread of an Indian attack had forced them into a closer compass and given them something of a fortified character, there can have been nothing to distinguish the towns along the Connecticut from the Massachusetts settlements. Plymouth in all likelihood wore in 1650 much the same face as when De Rasieres described it. If there was any change it would have been for the worse. The depression in trade which had fallen on New England generally about 1640 had made itself specially felt at Plymouth, and the superior fertility of Duxbury and Marshfield had drawn off many of the chief men, amongst them some of the original emigrants. Those who stayed behind, in their despondency even considered a scheme for transferring the Pilgrim church to Nauset, afterwards Eastham, on the eastern shore of Plymouth Bay.¹ The fitness of such a site had been discussed at the original settlement in 1620. To move thither now would have been to cut off the settlement from all communication with the rest of the colony, while the position on a narrow isthmus would have left no scope for extension. These considerations prevailed, strengthened, we cannot doubt, by the solemn memories which clung to the burial-place of Carver and Brewster. But though the church of Plymouth claved to its first resting-place, many of its members dropped away, leaving it, as Bradford pathetically says, "like an ancient mother grown old and forsaken of her children."²

Of the towns further to the south Newhaven stood out conspicuous, with its "complete streets,"³ and its "stately and costly houses."⁴ But, from the poverty of the soil, the inconvenience of the harbor, and the distance from the center of trade at Boston, the prosperity of the town was not equal to its outward show.⁵ As might be expected, the Puritan chroniclers tell us little of the despised outcasts in Narragansett Bay. Both as an agricultural and a maritime community Rhode Island enjoyed advantages unequalled by any of the New England colonies. The climate and soil lent themselves alike to the cultivation of grain and the rearing of cattle. All kinds of live stock thrived. In some places the land yielded corn crops for twenty-six years together.⁶ Moreover, unless the Rhode Islanders were libeled, Narragansett Bay with

¹ Bradford, p. 261.

² Johnson, bk. ii. ch. 8.

³ This is stated by both the above writers.

⁴ Report of the Royal Commissioners in 1666.

⁵ Bradford; cf. Maverick, p. 21.

⁶ Maverick, p. 23.

its many inlets offered shelter, not only to the trader, but to the smuggler and pirate.¹ It is not easy to say how far this prosperity outwardly showed itself. The financial legislation of the colony proves that Newport quickly outran the older settlements in commercial success. In 1647 Newport was assessed to bear one-half of a tax imposed on the whole colony.² Twelve years later, when by the incorporation of Warwick the number of townships had been increased from three to four, Newport still bore almost two-fifths of the general burden.³ An official report⁴ sent home in 1686 describes Newport as consisting mainly of small timber houses. It is clear that the object of those who framed the report was to guard against any financial attack by depreciating their own condition. But the outward appearance of the settlement could hardly be a subject for evasion, and we may safely assume that Newport could not boast the visible prosperity of Boston or Ipswich.

It is almost needless to point out how simple and limited were the operations of husbandry in New England. In that respect indeed the habits of the colonists did not differ widely from those which they had learnt at home. We must remember that in the tillage of the seventeenth century root crops were unknown, the cultivation of artificial grasses was in its infancy, and chemistry did nothing to develop and supplement the natural resources of the soil. It was not till two generations later that an Oxfordshire squire defied all recognized rules of farming, and forced his ground by a process of deep tillage to produce grain crops for many years in succession with no loss of fertility. The rich virgin soil of New England enabled the colonists to anticipate the discoveries of Jethro Tull. As soon as the settler had learnt from the Indian how to treat the maize plant, he found that his patch of land would produce grain year after year in undiminished quantities.⁵ A patch of three acres, worked with the hoe, and manured with the small fish which abounded in every stream and creek, would yield enough for the yearly maintenance of a family.⁶ The soil, after it had been cleared and loosened by one

¹ The whole question of smuggling and piracy will come before us later.

² R. I. Records, vol. i. p. 152.

³ *Ib.* p. 416.

⁴ This report is given in full by Mr. Arnold (vol. i. p. 488).

⁵ *New England's First Fruits* (Sabin's reprint, 1865), p. 43.

⁶ This is putting the annual yield of an acre at thirty-five bushels (see Hubbard, p. 23) and the daily consumption of a family at twenty pounds.

or more maize crops, bore English grain well.¹ But the long New England winter gave special advantages to a crop which ripened rapidly, and owing to this cause, and also to the fact that it lent itself better to hand cultivation, maize remained the chief cereal product of the country. Potatoes do not seem to have been grown in the colony, but were imported from the Bermudas and the West Indies.² In 1660 the younger Winthrop, writing to a friend in England who meditated emigrating, mentions tobacco as a crop lately introduced and likely to do well;³ but neither the climate nor the conditions of industry would have ever suffered New England to compete successfully with the Southern colonies. Rape,⁴ hemp, and flax were all grown, and the two last named commodities formed a staple of manufacture in the colony.⁵

Of the various kinds of live stock, horned cattle was that which most quickly adapted itself to the natural conditions of New England. Yet with them there was at first heavy loss from the change of pasture.⁶ We can hardly suppose too that beasts could face a New England winter without sheds, and for the first few years the demand for houses can have left the builder little leisure for other work. This would apply also to fencing, without which cattle could hardly be kept profitably. How these drawbacks acted is shown by a letter written by the younger Winthrop in the spring of 1636. From this we learn that during the past winter twenty-five hundred pounds' worth of cattle had died in Dorchester alone, and that there had been heavy losses in other plantations.⁷ As life became more settled these difficulties were overcome. It was found too that the pasturage of the salt marshes and the hay made there were remedies against the ills produced by the change of climate.⁸ Between 1635

¹ Wood, p. 13.

² Winthrop, vol. i. p. 188; Mayhew to Winthrop, jun., in *Mass. Hist. Coll.* (4th series, vol. vii. p. 31). Joscelyn does not mention them among the products.

³ The letter, which throws much light on the industrial condition of the country, is in the *Mass. Hist. Coll.* (5th series, vol. viii. p. 63). The name of the person to whom it was addressed is lost.

⁴ *Id.*

⁵ Winthrop, vol. ii. p. 31; Joscelyn, p. 337; Johnson, bk. ii. ch. 21.

⁶ Johnson, bk. i. ch. 36.

⁷ Letter from the younger John Winthrop to his father (*Mass. Hist. Coll.*, 4th series, vol. vi. p. 515).

⁸ Johnson, in the passage referred to above, says that those who were without salt marshes lost their cattle; cf. Wood, p. 12.

and 1640 cattle-breeding became the most lucrative form of trade in New England.¹ The increase of tillage caused a regular demand for plow oxen. The emigrant found it far better to buy young stock reared in the colony, and so acclimatized, than to import from England. At the same time the growth of shipping in New England, and the communication with the West Indies and the tobacco-growing colonies to the south, kept up a brisk export trade in cattle. Prices rose till a milch cow fetched twenty-five or even twenty-eight pounds, and a heifer calf ten.² But these prices could not last. As the influx of population abated so did the demand for live stock. The fall too seems to have come far more suddenly than even observant traders expected. In the words of Bradford, "all men feared a fall of cattle, but it was thought it would be by degrees, and not to be from the highest pitch at once to the lowest."³ In a month the prices of live stock fell to a quarter of what they had been. The result, Bradford tells us, was "the damage of many and the undoing of some." The testimony of Winthrop clearly shows that the same thing took place in Massachusetts, and with like consequences.⁴ Yet we must remember that such a calamity is not the same thing in an old settled country as in a colony. In the first place there are not in a colony the same number of persons who are just living on their incomes, keeping out of debt but with no margin for accumulation. In a colony men are, as a rule, growing richer or poorer, making way or losing it. By a depression in trade the former process is checked and the latter accelerated. But there is not the same wholesale conversion of solvent citizens into bankrupts. Moreover, in New England farming was not carried on, as it largely is in modern days, with the hoarded capital of the trading classes. The New England yeoman too lived mainly on the product of his ground. Even his house and most of its appliances were the work of his own hands. His ruin, if he were ruined, did not bring in its train a complicated and widely extended chain of losses. There was no failure of rents, and thus the impoverishment of the farmer did not involve a complete change in the habits of another class. All these considerations may explain why

¹ This rapid increase and subsequent fall in the value of cattle is very fully described by Bradford, Winthrop, and Johnson.

² Bradford, p. 229.

³ *Id.* p. 236.

⁴ Winthrop, vol. ii. p. 31.

the state of affairs recorded by Winthrop did not leave more abiding or widespread traces. One result, however, we may be sure did follow. The small yeoman must have been often compelled to take the place of a hired laborer. Yet, since this process was constantly being reversed, there is no reason to think that the social economy of the colony was permanently affected.

At first in all likelihood cattle were bred mainly for draught and for the export market, and little or no profit was made out of dairy produce. Thus we find Pyncheon, one of the founders of Springfield, writing in 1644 to a friend in the newly settled township of Lancaster, explains that he cannot sell either, as he needs all that he can produce for his own workmen.¹ But, as the arrangements for the breeding and management of cattle improved, this altered, and both butter and cheese became a standing article of export.²

During the early days of New England swine and sheep fared even worse than horned cattle. The former especially fell a prey to wolves.³ But as the settlements spread and more land was cleared this mischief diminished, and in time pork was exported in large quantities.

The attempt to introduce sheep was attended by considerable loss. The quantity of underwood must have made the wool crop a poor one, and sheep could not be expected to thrive in a New England winter, unless their owners went to considerable cost in giving them shelter. The goat had the preference, as being the hardier animal and, where fleeces were not to be had, the more productive. Joscelyn tells us that these were the first live stock brought into the country, and that "he was counted nobody that had not a trip or flock of goats."⁴ That they continued to hold an important place is shown by a letter written in 1660 to the younger John Winthrop by his steward. He there enumerates the stock of a tenant who had just taken a tract of land from Winthrop. It consists of forty milch cows, forty young beasts, eight plow oxen, four mares, five hundred goats, and one hundred sheep.⁵ So in the same year we find an intending settler on Block Island writing to Winthrop about the purchase of a hundred and fifty goats.⁶ But by 1642 the

¹ *Mass. Hist. Coll.* 4th series, vol. vi. p. 376.

² *Ib.* bk. i. ch. 36.

³ *Mass. Hist. Coll.* 4th series, vol. vii. p. 246.

⁴ Johnson, bk. iii. ch. 6.

⁵ Joscelyn, p. 338.

⁶ *Ib.* 5th series, vol. i. p. 390.

number of sheep in Massachusetts had multiplied to the number of a thousand.¹ Within ten years this was trebled.² Yet we may conjecture that their increase was not altogether satisfactory, since the Massachusetts legislature in 1654 thought it necessary to forbid the exportation of sheep and the killing of lambs.³

In all likelihood the milder climate of the more southerly colonies suited them better. In Rhode Island they thrive, and ewes almost always bore twins.⁴ The younger John Winthrop evidently paid special attention to his flock, procuring rams of a good breed from Gardiner, the commander of Saybrook, and from Coddington.⁵ Both in Connecticut and Newhaven there were special provisions for the breeding of sheep on the public pastures. In the former colony an official was appointed to inspect rams and prevent worthless ones from running abroad,⁶ and in Newhaven there was a public shepherd, with probably the like duty.⁷

At first the difficulties of enclosure and the lack of labor must have been hindrances to horse-breeding. But the climate and soil were well suited to it, and it was a department of

Horses. farming specially fitted to a country where pasturage was abundant, and where, therefore, a landholder could afford to let his stock accumulate on his hands for three or four years. As early as 1647 we find that in Massachusetts droves of half-wild horses were doing mischief which called for legislative interference.⁸ Twenty-one years later an act was passed to check the deterioration of the breed by providing that no stallion under fourteen hands should be allowed to run in the public pastures.⁹ Similar prohibitions existed in Plymouth¹⁰ and Connecticut,¹¹ save that there the required standard was only thirteen hands. In Massachusetts an order was passed in 1649 against the exportation of horses.¹² It is likely that the object of this was as much military as commercial. In Plymouth horse-breeding must

¹ *New England's First Fruits*, p. 39.

² Jehason, bk. ii. ch. 21. Maverick (p. 26) speaks of "brave flocks of sheep."

³ Mass. Records, vol. iii. p. 356.

⁴ Report of Royal Commissioners; *Col. Papers*, 1665, Dec. 14.

⁵ See the letters from Gardiner and Coddington to Winthrop (*Mass. Hist. Coll.*, 4th series, vol. vii. pp. 60, 279).

⁶ Connect. Records, vol. ii. p. 197.

⁷ Mass. Records, vol. iii. p. 107.

⁸ Plymouth Records, vol. xi. p. 225.

⁹ Mass. Records, vol. ii. p. 286.

¹⁰ Newhaven Records, vol. i. pp. 167, 318.

¹¹ Mass. Records, vol. iv. pt. ii. p. 367.

¹² Connect. Records, vol. vi. p. 244.

have been an important business. It was enacted that every householder might keep one horse on the common for every twenty pounds of ratable estate that he possessed.¹ This, however, only extended to three horses. If he exceeded that number those over might be killed. In 1657, when it was thought expedient to raise a force of cavalry, it was ordered that every one who kept brood mares should for every three contribute one horse to the public service.² This form of stock must have been a substantial source of wealth, since in 1651 we find a mare killed by the Pequods valued at forty pounds.³ This, it is expressly stated, was a time when horses were exceptionally dear. But eight years later we find brood mares valued at twenty pounds each.⁴ In Massachusetts, in 1653, the value of a horse was sixteen pounds.⁵ Thirteen years later the value in Connecticut had fallen to half that amount.⁶ In that colony it was enacted that every township should have a mark of its own for horses, and this system was enforced by making the sale of an unmarked horse an offense punishable with a fine of twenty pounds.⁷ In Newhaven a public officer was appointed to register all exported horses.⁸ We find too in that colony horses often figuring as subjects of litigation. There is ample proof that during the latter half of the seventeenth century the breeding of saddle-horses, chiefly to be exported to the West Indies, was a common venture with wealthy New Englanders.⁹ Rhode Island was specially adapted for this, and indeed for all kinds of stock-farming. The climate was mild, and the soil good, and a large portion of the best land lay in islands and isthmuses. These might be looked on as large natural parks, partly or wholly enclosed by water, and thus secured against wild beasts and Indian marauders.

Only in the thickly grouped townships about Boston can there have been a continuous stretch of cultivated country. Elsewhere town must have been divided from town by a barrier of forest. For the settlements along the coast the easiest mode of communication was by water. This was sup-

¹ Plymouth Records, vol. xi. p. 235.

² *Id.* vol. x. p. 68.

³ *Id.* vol. x. p. 223.

⁴ Connect. Records, vol. ii. p. 61.

⁵ Newhaven Records, vol. ii. p. 591.

⁶ *Id.* vol. i. p. 200.

⁷ Mass. Records, vol. iii. p. 298.

⁸ *Id.* p. 28.

⁹ We see this from numerous passages in the Winthrop letters, from Hull's Diary, and from a passage hereafter referred to in Sewall's Diary. See also Maverick, p. 26.

plemented by a road along the whole coast of Massachusetts. In the southern colonies, where nothing in the nature of internal trade existed, roads and bridges were almost unknown. On the other hand, as early as 1652 a New England writer could boast of "the wild and uncouth woods filled with frequented ways, and the large rivers overlaid with bridges, passable both for horse and foot."¹ Even in Plymouth, where labor and money were scarce, three bridges were ordered to be built as early as 1638.²

The commercial needs of Boston very soon led to the establishment of a post-office for correspondence beyond the sea.³ But it was many years before any steps were taken for the public conveyance either of letters or passengers within the colonies.

Of such traveling as there was in the early days of New England much was done on foot. Thus Winthrop's journal tells us how in 1632 he journeyed to Plymouth, going as far as Wessagusset, afterwards Weymouth, by sea, and ending the journey in one day on foot, and how, as a special mark of respect, he was sent back on the governor's horse.⁴ Forty-four years later Sewall made the same journey, and the account of it in his diary gives a vivid picture of the difficulties which still beset the New England traveler.⁵ His chief object was to look at some horses belonging to his father running on the point of land which is now Falmouth. Sewall left Boston at five on an October afternoon, and reached Hingham, some eighteen miles off, before night. Next day a journey of about twice the length, divided by a noonday halt at Plymouth, brought him to Sandwich. On the day after he rode down to the pasture, and picked his father's five horses out of a drove of eleven. He earmarked two colts, and took home one to be exported. Between Sandwich and Plymouth he had not a little trouble in getting his two horses along the cliffs above the sea. Beyond Plymouth he was bewildered and fell into a marsh, missed his track, lost his own horse while leading the new one, and with difficulty got shelter for the night. The description of his next day's journey ends with the words, "got well home before shutting in, praised be God."

There is nothing to show the exact date at which wheel-coaches were first brought into New England, nor the extent to which they

¹ Johnson, bk. iii. ch. 1.

² Mass. Records, vol. i. p. 281.

³ Winthrop, vol. i. pp. 91-3.

⁴ Plymouth Records, vol. xi. p. 28.

⁵ Sewall Papers, vol. i. p. 26.

were used. But we can hardly err in thinking that they did not find their way in till an age when the wealthy merchants of Boston had begun to introduce luxuries which would
Coaches. not have been tolerated by the companions of Dudley and Endicott.¹

From Sewall's account of his journey it would seem that he depended for food and lodging on private acquaintances. Such
Inns. was the system in vogue amid the rude plenty of the southern colonies, where, except in the chief towns, inns were unknown. But such a tax on private hospitality would not have suited the frugality of New England, or its rigid social discipline. Moreover in the seaport towns the influx of foreign traders and seamen must have made the tavern a necessity.

In all the New England colonies the authorities seem to have held the reasonable doctrine that a sufficient supply of taverns under public control is the best check on unauthorized and disorderly houses of entertainment. In Plymouth every town seems to have had its tavern. In Connecticut the town authorities were actually bound to appoint "a sufficient inhabitant" to keep an ordinary, and in default the corporation was liable to a fine of two pounds a month.² In each of the colonies the general control of taverns, the conduct of those who used them, and the quality of the wares sold were under the control of the legislatures.

Of those economical influences which determined the character of New England, perhaps the strongest was the intermixture
Town and country life combined. of town and country life. The farmer was in a certain sense a townsman, the trader was usually a landholder as well. To this were largely due that versatility and that capacity for rapid changes of trade and profession which form a striking, and often a somewhat grotesque, feature in American life. Another effect was to prevent the community from breaking up into well-defined classes. The influences which made land easy of transfer worked in the same direction. Thus the state was not split up into what modern language calls interests, landholders, traders, artisans, each with aims of its own, independent of the common weal, often hostile to it. With all her failings New England might at least boast that she was in truth what Rome was only in the dreams of reformers, a country "where none was for a party, where all were for the state." Thus it was

¹ Sewall more than once mentions coaches.

² Connect. Records, vol. i. p. 103.

because the state really embodied the life and represented the feelings of the great mass of citizens that measures were endured and even approved, which, if carried out by a despot or a narrow oligarchy, would have been execrated as acts of capricious tyranny.

The natural tendencies of a colony where land is plentiful and population scanty is to confine itself to agriculture, and to depend for manufactured goods on imports. That tendency **Labor and wealth.** was displayed to the full in the Southern colonies. In New England it was kept in check partly by material, partly by moral, causes. The supply of really fertile land was limited by nature; it was practically yet more limited by that strong desire for cohesion which the political and ecclesiastical institutions of the country and the pressure of the savages, begot and kept alive. In the Southern colonies labor was cheap, and the same causes which made it cheap degraded the laborer, and unfitted him to become anything better than a drudge on a tobacco plantation. Unless a man had in him some capacity for advancing himself, he was unlikely either to find his way to New England or to abide there. The ecclesiastical system of New England, with many faults, had at least solved that difficulty which did so much to baffle all early colonizers. It made it impossible that the colony should become "an emunctory or sink,"¹ that its inhabitants should be, in the words of Bacon, "the scum of people and wicked condemned men."² And if the antecedents of the New Englander insured that he should be fit for something better than a tiller of the soil, his mode of life was likely to kindle the necessary desire to become something better. In the Southern plantations there was little temptation to the laborer to extricate himself from his class. In Charleston, indeed, there was a wealthy urban population, enjoying the comforts and refinements of life, and there one may fairly suppose that the small tradesman and the rich merchant were united by insensible gradations of wealth. But elsewhere all the enjoyments and the political privileges conferred by riches were fenced in with insuperable barriers. Slavery spread its baneful influence over industry; it made thrift and the desire for self-improvement impossible in the free laborer. He was contaminated by the associations of the slave gang. If he rose above them he could at best become an overseer, one of a class

¹ See vol. ii. p. 85.

² *Essay on Plantations.*

hated by those below, despised by those above. In New England, on the other hand, the highest prizes which the colonial life could offer were within reach of every man, if he had but the needful powers of mind and body. There was another cause, too, which made the New England settler into a trader. His capacity for expenditure was compressed within narrow limits, partly by the lack of natural resources, still more by the pressure of a rigid and overpowering public opinion, and by the training of successive generations. The New England Puritan had lost the capacity for luxurious expenditure, as a race of animals loses a disused organ. If the Southern planter resisted the ever-present temptations of exuberant hospitality, of a vast and wasteful household, of a well-filled stable, he had no difficulty in investing money within the colony without putting it into trade. An embarrassed neighbor was ready to mortgage his estate, fresh land might be planted with an increased staff of slaves, a new farm might be started under an overseer. The prosperous New Englander, who already farmed as much land as he could personally supervise, must keep his money in a strong box or else employ it in trade. And if this were true of the surplus capital of the farmer, much more was it true of the accumulation of the merchant. In a community like New England, trade, once started, must ever be seeking fresh outlets.

As the previous training and the daily life of the New Englander fitted him to become a trader, so the nature of his abode kept alive the desire for commerce, and placed in his hands Commerce. the means of fulfilling it. As the conditions of life were ever driving the Virginian and the Marylander inland, so they were ever holding back the New Englander, and keeping him to the sea. Nature had placed him in a country of harbors. Till the savage was extirpated and the forest uprooted, the strong desire for political and ecclesiastical union could only be gratified so long as the settlers clung to the sea-coast. The presence of the sea, its promise of wealth, of adventure, of variety in life, did battle against the rigid discipline of Puritanism, just as it did battle against the exclusiveness of the Greek city state. As might have been expected, Massachusetts, richer, more enterprising, and more densely peopled, quickly outran Plymouth in trade. The country, especially the northern side of it, was rich in ship timber. By 1665 the Commissioners could report that there were

more than twenty sawmills on the Piscataqua.¹ The early records of Massachusetts enable us to trace the growth of shipbuilding in very full detail. The first attempt was made by Winthrop. In 1631 he built a vessel of thirty tons to procure corn from the Indians by inland navigation.² This was soon followed by vessels of sixty, a hundred, and three hundred tons.³ In 1638 a New England built vessel for the first time sailed into the Thames.⁴ By 1643 there were five vessels, ranging from one hundred to five hundred tons burden, built in the colony.⁵

For some years the naval resources of New England were mainly devoted to fishing. The government of Massachusetts encouraged and regulated this industry by granting exemption from taxes to all vessels engaged in it, and by instituting a close time for mackerel.⁶ External trade began with the export to Virginia of fish and furs, the latter chiefly beaver skins, bought from the Indians, and usually paid for in their own shell money, called wampum. Trade soon extended to the West Indies. Corn, cattle, and butter were added to the list of exports. The ships brought back cotton and fruits. By 1643 the trade extended to Madeira, and soon after to Spain, and wine, iron, and wool were included among the imports. Another important product was timber. Masts, clapboards, pipe-staves, and tar were all exported to the mother country, and to the West Indies.⁷ After 1642 the first definite report that we have of the amount of shipping in the colony dates from 1665. In that year the Court of Massachusetts, in a formal report to the King, estimated the whole number of vessels, great and small, belonging to citizens of the colony at one hundred and ninety-two.

The colony which of all others was most fitted by nature to become a naval community was Rhode Island. In Newport it possessed the best harbor on the coast, and the woods abounded in ship-timber. Tradition says that the ill-fated ship which by its disastrous voyage gave a final blow to the hopes of the Newhaven merchants was built in Rhode

¹ State Papers, 1665, Dec. 14.

² Winthrop, vol. i. pp. 57, 60, 62.

³ Winthrop, vol. i. p. 193; vol. ii. p. 24; Wood, p. 44.

⁴ Holmes, vol. i. p. 305.

⁵ *New England's First Fruits*, p. 248.

⁶ Mass. Records, vol. i. p. 257; vol. iv. pt. ii. p. 462.

⁷ For the export and import trade of Massachusetts see Johnson, bk. iii. ch. 6, Winthrop, vol. ii. pp. 151, 154, and Maverick in several places.

Island.¹ In 1686 the Governor and Council of the colony stated in the report before mentioned that there were no merchants in Rhode Island, but that the people "lived comfortably by improving the wilderness." This was qualified by an admission that there were "several men that deal in buying and selling, although they cannot properly be called merchants." Considering that shipbuilding was an important business in the colony, and that in the first code of laws special provision was made for mercantile cases, we may believe that the reservation had more truth in it than the general statement.

New England never suffered from those dreams of mineral wealth, cravings for the treasures of Mexico and Peru, which beguiled Gilbert and Frobisher, and threatened to undo the founders of Virginia. But it was not long before some of the more enterprising settlers betook them, soberly and cautiously indeed, as might have been expected, to the search for metals. Their attention seems to have been turned that way by Indians who brought them fragments of iron ore found in streams, on hillsides, or in clefts of the rocks.² The younger John Winthrop, whose versatile and somewhat speculative mind overlooked nothing which could increase the prosperity of his adopted country, took up the matter zealously. In 1643, having satisfied himself of the existence of iron, he returned to England, formed a company, engaged workmen, and procured all things necessary for establishing works. The ship which took them out was delayed, as it would seem, by the stupidity or malevolence of the official who had to inspect her before she could sail. A favorable wind was lost, the ship was delayed at sea through the hot weather, to the detriment of the men's health, and reached New England too late to begin operations that year. Winthrop laid the damages at a thousand pounds, and it is from his petition to Parliament for redress that we know the details of his preparation.³

The partners, however, did not abandon the scheme. A skilled manager was engaged for a period of seven years, with a

¹ Trumbull, vol. i. p. 161. For the ship see above, vol. ii. p. 199.

² John Winthrop, jun., to Sir Robert Moray, Aug. 18., 1668 (*Mass. Hist. Coll.*, 5th series, vol. viii. p. 195).

³ His petition is published in the *Mass. Hist. Coll.*, 5th series, vol. viii. p. 36. The attempt is briefly described by Winthrop (vol. ii. p. 212).

salary of a hundred a year and a house.¹ The Massachusetts government gave the experiment every chance of success. The company was granted a monopoly for twenty-one years and the right to establish works in six places, with certain exemption from public charges. At first the ore raised was abundant, and was thought to promise well. Two forges were opened, one at Braintree, the other at Lynn. But the cost of labor was a hindrance to the profit of the undertaking. In the words of Hubbard "instead of drawing out bars of iron there was nothing hammered out but contentions and lawsuits."² Of those we find a trace among the State Papers, in a petition addressed just after the Restoration to the Council for Plantations, in which certain unsuccessful ironworkers complain that their estates have been seized, and their agents imprisoned unjustly, and that no redress can be had from the colonial tribunals.³ Yet in spite of this the Commissioners could report in 1665 that there was "good store of iron made in this province."⁴ At Taunton, in Plymouth, a successful iron foundry was started in 1652 by James Leonard, a native of Pontypool, in Monmouthshire, whose house was still standing in the present century, inhabited by his descendants and namesakes.⁵

The same company which made the attempt in Massachusetts extended its operations into Newhaven. The government of that colony did its best to encourage the iron trade by ordering, in 1665, that if works were opened, those concerned should be free from rates.⁶ In the same spirit an order was passed, seven years later, remitting a portion of the duty on liquor consumed at such places.⁷

Winthrop's mining speculations were not confined to iron. There were traces of lead at Lynn and elsewhere. In 1650 the legislature of Connecticut passed an act, the preamble of which set forth that there was a likelihood of lead mines, and that Winthrop intended to search for such.⁸ In

¹ This is stated in a letter from Downing to Winthrop, jun. (*Mass. Hist. Coll.* 4th series, vol. vi. p. 61).

² Hubbard, p. 374; Maverick, p. 12.

³ *Colonial Papers* for 1661, No. 50 in Calendar.

⁴ Commissioners, report in *Colonial Papers*.

⁵ This is stated in a topographical description of Raynham in *Mass. Hist. Coll.* (2nd series, vol. iii. p. 170).

⁶ Newhaven Records, vol. ii. p. 149.

⁷ *Id.* p. 454.

⁸ Connecticut Records, vol. I p. 223.

consideration of this, he and his partners were granted an exclusive right to all such discoveries which he might make on land as yet unoccupied. No substantial result however seems to have accrued. Two years before this the settlers in Rhode Island had been excited by a supposed discovery of silver. The chief actor in this business was Jonathan Brewster, a son of the Plymouth Elder. A parcel of the ore was sent to Winthrop,¹ but the project came to nothing. It appears however to have given an unlucky turn to Brewster's mind, as we find him a few years later writing Winthrop long letters stuffed with the unintelligible jargon of alchemy.²

In the Southern colonies the absence of town life, the abundance of land, and the incompetence of the working classes excluded all possibility of manufacture. New England was able to supply herself with at least all the common necessities of life.

Hand-
crafts.

The first manufacture on any large scale was that of cloth. In 1639 a number of clothiers from Yorkshire settled to the north of Ipswich, naming their town after their native place, Rowley. There they set up a fulling mill, and brought up their children to the craft of weaving and spinning.³

Two other trades that quickly flourished, from the abundance of their material, were those of the cooper and shoemaker, both of whom before long had corporations of their own in Boston.⁴ Not only did necessary handicrafts prosper, such as those of the mason, the brickmaker, the glazier, and the ropemaker, but cutlers and gunsmiths found work,⁵ and by 1650 Boston could even boast of a goldsmith.⁶ The colonists had also enough mechanical and chemical skill to set up a powder mill during the war with Philip,⁷ and we find in 1671 a monopoly of pitch-making conferred by the government on certain individuals, and enforced against their rivals.⁸ Joscelyn, writing in 1675, enumerates the commodities which an emigrant would do well to take out with him.⁹ They include such common articles as shovels, wheelbarrows, pails, and ladders. Cartwheels he specially mentions

¹ Brewster to Winthrop, jun., in *Mass. Hist. Coll.* 4th series, vol. vii. p. 69. This is also referred to by Roger Williams in a letter to Winthrop (*Narr. Hist. Coll.*, vol. vi. p. 164).

² *Id.* pp. 72, 79.

³ Johnson, bk. ii. ch. 11; Maverick, p. 11.

⁴ *Mass. Records*, vol. ii. pp. 249, 250.

⁵ Johnson, bk. iii. ch. 6.

⁶ Hull's Diary, p. 142.

⁷ See Mr. Dexter's note to Church's *Entertaining Passages*, p. 35.

⁸ *Mass. Records*, vol. iv. pt. ii. p. 499.

⁹ Joscelyn, pp. 220-5.

may be bought in England for fourteen shillings a pair, while they will cost three or four pounds in America. An article of luxury for which there can have been no certain and regular demand, such as a coach, must have been brought from England. We can see too, from the correspondence of colonists with their friends in England, that wearing apparel, often of a better sort, was exported. When the "gallants" described by Joscelyn walked on Boston Common in the evening "with their marmalet madams, as we do in Moorfields,"¹ in all likelihood their clothes came from a London mercer. So, too, as late as 1695 we find Wait Winthrop writing from Boston to his brother in England, and asking him to bring out knives and forks, as "knacks" not to be had in Boston.²

In the other colonies, where there was less wealth, less city life, and no center of trade like Boston, manufactures were far more backward. When the Commissioners inspected the colonies in 1665, they reported that Plymouth had but one sawmill, and one small "bloomery" for iron. Of the state of manufactures elsewhere they say nothing. But even by the end of the century there was only one clothier in Connecticut, and he merely made coarse stuff, to be worn usually without shearing or pressing.³

Those who hold that as time goes on the happiness of the human race becomes more widely diffused can at least point with assurance to the spread of medical skill. It is an undoubted truth that a pauper in the present day will be better doctored than a prince in the seventeenth century. If this be true of the mother country, far more is it true of the colonies. The letters which passed between the New England settlers contain ample evidence of the prevalent dearth of medical skill. A layman who had any tincture of such knowledge was constantly consulted by his friends and neighbors. The correspondence of the younger John Winthrop is full of vague descriptions of maladies, of elaborate prescriptions, of specific remedies, and of precepts for diet.

We find in New England the same phenomenon which meets us so constantly in the Southern states, the lack of money. It was in part due to the same causes. In the Southern states it

¹ Joscelyn, p. 319.

² *Mass. Hist. Coll.*, 5th series, vol. viii. p. 422.

³ Trumbull, vol. I. p. 453.

may be traced to the absence of retail trade and of a wage-receiving class. In New England neither of these influences operated to the same extent. Yet both were in a measure present. The laborer was usually a member of the household; in other words, his employer was at once his paymaster and the shopkeeper who supplied him with most of his necessities. There was yet another cause which drained New England of money. For his home dealings the settler found that barter sufficed. Every household required corn as a prime necessary of life, and the trade in it was neither variable nor subject to a complex process of distribution. But foreign commerce could not be thus conducted. Thus whatever coin flowed into the colonies was used for the payment of the foreign merchant, and went out again without ever passing into general circulation.

The want of coin however began at a date before these causes could have acted, and when it was simply due to the fact that the settlers were all either men who owned nothing or who had their capital in stock. In the second year of its existence the Massachusetts legislature had to declare that, in the absence of any special stipulation to the contrary, corn should be legal tender.¹ In 1635 it was enacted that the public dues should be paid in the same fashion.² The records of Plymouth are less explicit on this point. There are, however, two entries for the year 1633 which may be regarded as conclusive. The sale of a cow is formally recorded, the price to be paid in money, beaver, or fish, "at the ordinary rates accustomed." At the same court it was ordered that the public taxes should be received in corn, rated at six shillings per bushel.

In Connecticut grain was made legal tender, whether for private contracts or public dues, at a fixed rate, in 1640.³ A like system was adopted, at least as regards public debts, in Newhaven.⁴ An illustration of the working of the system is furnished by a bargain with a woman servant, described in a letter still extant. Her wages of eight pounds a year are to be paid in corn or beef.⁵ For taxation such a system is, in communities like the New England colonies, open to no objection. There is no public

Com-
modities
made legal
tender.

¹ Mass. Records, vol. I. p. 92.

² Connect. Records, vol. I. p. 61.

³ Mass. Hist. Coll. 6th series, vol. VII. p. 465

⁴ *Id.* p. 140.

⁵ Newhaven Records, vol. I. p. 60.

debt, no large class of officials in receipt of uniform incomes, consequently no fixed charge to be met, and no contracts with individuals to be deranged. In such a case taxation is simply a process by which the community sets aside so much of its annual income for corporate purposes. The staple commodity of the country is perhaps the best medium for estimating that amount.

But when we come to private contracts such a system is beset with difficulties. It could only work at all in a country where the seasons were exceptionally uniform, and where ~~Consequent~~ ^{difficulties.} nearly every one was engaged in agriculture. Under such conditions the proportion of corn to population will be fairly stable. On the other hand, a rapidly developing export trade will at once introduce an element of uncertainty. Under such a system one of two things must happen. Either all contracts are made in articles of fluctuating value, and thus every buyer or seller becomes a speculator. A good or bad season in Barbadoes, a change in fashions which extended or lessened the demand for furs in Europe, would affect the value of every cargo in Boston harbor. An attempt may be made to meet this by enacting that contracts shall be made in money, but paid in corn or commodities at a rate to be fixed from time to time by the government. This system actually was adopted. There were indeed other motives besides the wish to lessen the precarious nature of contracts which led the New England governments to regulate prices. But the fact that certain commodities served as the ordinary medium of exchange furnished an additional motive and a plausible pretext for such interference. The records of Plymouth tell us comparatively little of the practice of the colony in this matter. We find, indeed, the government annulling and at times punishing "extortionate" contracts.¹ These however may be looked on as measures of police, as parts of that system by which government undertook to regulate the private lives of citizens, rather than as definite attempts to fix the value of certain exchangeable commodities. But in Massachusetts it was enacted in 1653 that corn should be legal tender at six shillings² a bushel, and in 1635 beaver fur was also valued by enactment at ten shillings a pound.³

¹ Numerous instances will be found in the index to the Plymouth Records, under the head of "Crimes—extortion."

² Mass. Records, vol. i. p. 110.

³ *Id.* p. 140.

A somewhat similar act was passed in Connecticut in 1638.¹ This remedy does not do away with the difficulty; it only makes an important change in the outward form of it. The contractor is no longer at the mercy of varying harvests and markets. Instead he is at the mercy of government, of its fairness and discretion. No government can possibly foretell such fluctuations. Every error it made would be itself a fresh cause of fluctuation, and thus the evil, once started, would be ever accumulating. Winthrop, in his description of the sudden depression which befell New England commerce, mentions the scarcity of money. But that scarcity had been just as great in those years of prosperity which had gone before. The trouble was mainly caused, as we have seen, by the sudden check in the demand for livestock. But it is not unlikely that matters were made worse by the attempt to control prices and the consequent interference with the natural ebb and flow of trade. In a community with a highly complicated system of commerce such a system, if adhered to, would probably cause a revolution in a week. But, as we have so often seen, the New England colonies did in their early days fully adopt and largely carry out the theory that the government should act as the head of a household, and as such control production and distribution. Still the fact that every contract made is liable to be supervised by government cannot fail to have its effect. It must discourage everything in the nature of fixed payments. Leases and mortgages will be unknown, as will that class of tenancies which are nominally at will, but by custom continuous. The clergy will be paid by agreement, and not by fixed stipend. All contracts will extend over short periods; where they do not, since the payment cannot fluctuate, the nature and amount of the service will.

It would happen, as an inevitable result of such a system, that at some time government would declare one price while the market declared another. A man to whom twenty pounds was legally due would actually receive a fixed quantity of corn, which he would then carry into open market, and sell, it might be for twenty-five pounds, it might be for fifteen. Thus we have a phenomenon, described indeed less clearly than we could wish, of two prices. We are told that a New England trader, if asked the price of an article, would

¹ Connect. Records, vol. i. p. 8.

answer, "Sixpence in money, a shilling in pay." It is then explained that "pay" meant commodities, such as corn or meat, taken at the arbitrary price declared by government.¹

To this want of money there was, however, one important exception. To the Puritan himself the statement that he owed anything to the civilization of the natives would have seemed grotesque. Yet the wampum of the Indians fulfilled within certain limits all those conditions which economists require in money. Not only did it serve for dealings with the Indians, but so long as trade with them existed it had an ultimate value, and was an exchangeable commodity among the colonists themselves. It was of value in itself, it was portable, it was easily divided into exact quantities, the quality varied, and the variations were definite and could be perceived at once. There was exact propriety in the metaphor by which Winslow, when he sent the spoils of King Philip home to England, described wampum as "their gold and silver."²

The raw material of wampum was a part of a shell. This was found on the coast, and was of two kinds, the one yielding the common or white wampum, the other yielding the rarer sort, the black. The supply of wampum was not limited merely by the natural productiveness of the shell-beds. Each piece had to be pierced and polished by a laborious process, which brought it into the condition of a cylinder capable of being strung. The strings of wampum could be made of any length, and could at any moment be put together, divided, or restrung. Thus they possessed a property of the greatest value to any medium of exchange. Belts formed out of wampum served as scarfs for the savage, as necklaces and bracelets for his wives and children. Its value was not merely decorative. The wampum, made up in belts, and arranged in certain patterns, served as hieroglyphic writing. The presentation of a wampum belt does not indeed seem ever to have been a substitute for words. But it was constantly used as an accompaniment to words to give emphasis and solemnity. Messages of peace, of war, or of sorrow would

¹ This is described by Mrs. Knight (p. 42). Her account is all the more valuable because she does not pretend to explain matters, but simply describes them.

² The whole subject of wampum, its origin and its use by the settlers, has been very fully treated by Mr. W. B. Weedon in a monograph called *Indian Money as a Factor in New England Civilization*, published in the Johns Hopkins series.

³ *Colonial Papers*, 1677, June 7.

be accompanied by belts of appropriate colors. At a diplomatic conference each specific proposal or request, each successive declaration of good-will, was marked by the presentation of a belt.

The value of wampum for the Indian trade was first revealed to the Plymouth settlers by the Dutch who visited them in 1627.¹ The possession of this convenient and portable form of money was the keystone of the fur trade. The use of wampum extended to every kind of transaction with the Indian. When Coddington bought Aquednek the price was paid in wampum.² So too, it served as a means of exacting acknowledgment and restitution from the savages. Each of the successive conspiracies charged against the Narragansetts was made a pretext for demanding a tribute in wampum.³

Thus, so long as the Indian trade kept alive the demand for wampum, it served as a convenient medium of exchange among the settlers themselves. As such it came under the operation of those laws which endeavored to determine the price of commodities. Both in Massachusetts and Connecticut it was made legal tender, the black being reckoned as double the value of the other.⁴ At first its use was limited to payments under a shilling, a restriction which must have almost nullified the value of the wampum.⁵ But in 1641, after a year's experience, the limit was extended in Massachusetts to ten pounds.⁶ At the same time a system was introduced by which the wampum should fulfill one of the conditions of a coinage, by being divided into fixed amounts of graduated value, varying from one penny to ten shillings.⁷

The value, and therefore the use, of wampum depended wholly on the Indian trade. To the Indian it had value as a commodity; to the white man it was but paper redeemable in Indian goods; when these goods failed it became valueless. Thus, as the Indian was driven back, and as the fur trade became positively smaller and relatively insignificant, so wampum lost its place in the commerce of New England. Moreover, as

¹ Bradford, p. 158.

² R. I. Records, vol. i. pp. 48, 49.

³ Acts of Commissioners, vol. i. pp. 45, 168.

⁴ Mass. Records, vol. i. pp. 208, 302; Connect. Records, vol. i. p. 61.

⁵ *Ib.*

⁶ Mass. Records, vol. i. p. 329.

⁷ Mass. Records, vol. iii. p. 146; Connect. Records, vol. i. p. 179.

the Indian developed a taste for the goods of the English trade, for guns, powder, hoes, cloth, and alcohol, so it became more difficult for him to keep a portion of his wealth locked up in an unproductive commodity. In 1649 the Massachusetts government refused to receive wampum in payment for taxes.¹ The same reasons which operated with the government would soon operate with the private seller. As wampum no longer represented any real value it rapidly disappeared from the various colonies as a form of currency. Rhode Island retained it longest, but there, in 1662, it was declared by enactment to be no longer legal tender.²

Foreign trade did something towards supplying Massachusetts with coin. In 1642 the Court fixed the value of reals, Dutch ducats and rix-dollars.³ There are also entries in the records where sums are estimated in nobles and marks.⁴ These, however, were in all likelihood only coins of notation, with no tangible equivalents. The trade with the West Indies too brought in Spanish pieces. The inconvenience of a miscellaneous coinage not guaranteed in any way by government was soon felt. Accordingly not long before 1652 an order on the subject was issued by the General Court.⁵ This order is no longer extant. But a subsequent allusion to it in the records shows that it required the appointment of persons to "try and stamp" money, that is, in all likelihood, of public assayers for the various coins in circulation.⁶

In 1652 the legislature resolved to deal with the question more thoroughly. It would be hard to find a stronger illustration of the independent spirit of Massachusetts and its confidence in the forbearance of those now in power than this encroachment on the functions of the home government. After some difficulties and disputes about details a mint was built, and John Hull, a goldsmith of Boston, was appointed master, with a colleague, Robert Saunderson, chosen by himself.⁷ Their instructions

¹ Mass. Records, vol. iii. p. 167

² R.I. Records, vol. i. p. 474.

³ *Id.* vol. iii. pp. 51, 61, 186, 226.

⁴ Mass. Records, vol. ii. pp. 20, 29.

⁵ The third volume of the *Archæologia Americana* contains a valuable monograph on the coinage of Massachusetts, published as an Appendix to Hull's Diary. The Diary itself contains much on this point that is interesting and important. The subject is also very fully dealt with in Crosby's *Early Coins of America*.

⁶ *Arch. Am.* vol. iii. p. 284.

⁷ Mass. Records, vol. iv. pt. i. pp. 84, 118.

authorized them to coin silver in pieces of the value of a shilling, sixpence, and threepence.¹ The silver was in all likelihood furnished from the stores of bullion imported from the West Indies. The coins issued by the Massachusetts mint were somewhat roughly executed, and bore on one side the legend "Massachusetts," encircling a tree, on the other "New England" and the date. The tree was at first a willow. This was replaced by an oak, and at a later date by a pine. In 1662 a twopenny piece was added as a fourth coin. On some of these coins the date 1652 was kept at each successive issue, an arrangement which has made it difficult for numismatists to assign the various extant specimens to their respective years.² The object of the government was to supply a medium for the internal trade of the colony, and to break down the system of barter which was in force. The existence of an extensive export trade was fatal to that attempt. The native seller was willing to take corn, fish, or cattle in payment. The foreign trader required something portable and universally acceptable. Thus we find the legislature bewailing the efflux of silver coin, and vainly striving to check it by making any person who exported the coin of the country liable to forfeit his whole estate, and by appointing public searchers with power to examine vessels and their cargo.³

In 1672 an act was passed supplementing the coinage of the Massachusetts mint by reverting to the proposal rejected twenty years before.⁴ The master of the mint was empowered to stamp Spanish dollars, adding a mark indicating the amount of any deficiency which might exist. The disputes of the Massachusetts government with the home authorities on the question of coinage and the final extinction of the Boston mint will come before us hereafter as separate incidents.

We have already seen something of the attempts made by the various New England governments to regulate dealings between their citizens. In so doing they only conformed to the accepted political doctrines of their own day, doctrines which were unquestioningly received in theory, even when they were ignored or neglected in practice. Even now such interferences have dropped one by one because they have been

Regulation
of prices
by govern-
ment.

¹ All these coins are described and depicted by Mr. Crosby.

² Crosby, p. 72.

³ Mass. Records, vol. iii. p. 353.

⁴ *Id.* vol. iv. pt. ii. p. 533.

found practically inconvenient, rather than because there is any definite belief in their general inutility. Probably in every trade or industry a majority of the members believe in their hearts that legislation could do something for their good. Not that it needs any profound reflection or any wide experience to see the futility of such attempts. Two things indeed a government can do. It may create a monopoly, either for its own benefit or for the benefit of any of its citizens. It may itself become a competitor in any trade, and undersell its rivals by throwing the loss on its subjects. In the one case the subject will be taxed indirectly, in the other directly, and thus the power of government in each case will be limited by the amount of taxation which its subjects will endure. And even in these cases the real power of a government is far more limited than at first appears. The benefit of a monopoly is confined to the original monopolist, and ceases to affect any subsequent contract. The original shareholder in a railway is a monopolist under government. The actual shareholder is usually a man who has paid the market price, based on the estimated profits of the undertaking.

Nor, on the other hand, can government even compel a monopolist to sell at a fixed price. It may indeed appear to do so. But in such cases the monopolist can always save himself by varying the quality of the article supplied. If the government of England were to establish an efficient system of inspection for public conveyances and railways, with certain requirements, and at the same time were to insist on a limit of charge, London might at any time be left without a cab and England without a train.

If we pass out of the region of monopoly to that of private contract, where each man parts with that which he does not want, and gets that which he does want, then only when a government has crushed out every vestige of independence, and has pierced its way into every nook and corner of private life, can it in any measure regulate the dealings of its citizens. Assuredly, whatever countries might fulfill that condition, New England did not. While there probably was not a man in New England who would have doubted that it was the business of government to insure equitable dealings between citizens, there probably was not a man who would have submitted tamely to be told that he must not buy an article which he wanted for a price at which his neighbor

wished to sell. And if such interference be impossible and hopeless anywhere, most of all must it be so in a young country, where production is ever finding fresh resources, and commerce is ever opening fresh markets, where therefore elasticity and freedom are the soul of trade.

Yet there were circumstances in the economical condition of New England which made it certain that state interference with trade would be the rule and not the exception. A system of agriculture largely communal paved the way for such interference. Those who took a leading part in the work of production, the indentured servant who tilled the soil, the Indian who sold furs and corn, were legitimate subjects for state protection. The very fact that trade was so largely barter and that public dues had to be paid in kind would, by a pardonable confusion, lead men to feel that government ought to give a fixed value to the commodity which principally served as a medium of exchange. Moreover, in those early days of difficulty through which Plymouth and Massachusetts both had to pass, it might well seem that the distribution of food needed to be placed under the control of the state. The colony was like a garrison on short allowance. Men had yet to learn that high prices are the best guarantee for thrift, and the corn speculator who "hoards" is unconsciously a public benefactor. Lastly, as we have so often seen, the New Englander drew no distinction between the sphere of law and the sphere of morality. It was the business of legislation, not only to prevent crime, but, as far as might be, to enforce a vague code of equity. In everyday life half the bargains made in open market between two parties are described as "extortionate," and to prevent extortion was just as much the duty of the state as to stop gambling or to stamp out heresy.

Accordingly the records of Massachusetts furnish an excellent comment on the difficulties in which a government lands itself when it begins to interfere in the dealings between its citizens. The first commodity with which the legislature interfered was that of prime importance in a colony, labor. This was but natural. Let any one consult his own experience. He will find that there are few beliefs more widely spread or deeply rooted than the belief that there is a certain fixed rate of remuneration and a certain scale of living to which particular classes are morally entitled, and to which they ought to

Wages
fixed by
law.

be limited. A man is blamed, not for living beyond his income, but beyond his station. Interference with wages too is unhappily one of the most practicable forms of interference. For though the labor market is regulated by fixed causes beyond the control of the contracting parties, those causes necessarily work slowly. Labor, at least agricultural labor, is one of the least transferable commodities. The employer has far greater means of combination than the laborer. When we add to these causes a law declaring a maximum rate of wages, we have set up barriers which may for a long while check that rise in wages which would come at once in an open and unprotected market. At first however the Massachusetts government left wages and prices free,¹ probably because the rulers of the colony were wise enough to see that the whole system of life was new, and that any standard derived from English experience was inapplicable. But in two years a state of things had come about which seemed to need legislative interference. Wages rose so that a carpenter secured three shillings a day, and a common workman half-a-crown. There was, in fact, a sudden influx of capital, which had not yet found employment. The rigid conditions which checked local extension prevented this capital from being rapidly absorbed in agriculture, and there were as yet no manufactures. Thus a state of things existed resembling on a small scale that in a country where gold has just been discovered. Laborers could earn enough in four days to keep them for a week, and still had money to spend on tobacco and spirits.²

The natural remedy, an influx of labor, was prohibited by the conditions of New England life. Thus, as is so often the case, an interference with the market was plausibly represented as a necessary measure of police. The extravagance of the laborer could only be checked, as it seemed, by cutting off the spring which fed it. Accordingly in 1633 a scale of wages was enacted. Handicraftsmen were to receive two shillings a day, and farm laborers eighteenpence. In either case victuals might be given as an equivalent for tenpence.³

When a state undertakes to regulate contracts between citizens, it ordinarily does so with the purpose of securing what it consid-

¹ Mass. Records, vol. I. p. 84.

² This state of things is described by Winthrop (vol. I. p. 116).

³ Mass. Records, vol. I. p. 109.

ers a more equitable distribution of wealth than would be effected if they were left free. In the case of Massachusetts the government set before it a different, though an equally impracticable, goal. It aimed at combating luxury by reducing alike the inordinate wages of the laborer and the inordinate profits of the capitalist. Accordingly it proceeded to undo with one hand what it did with the other. What was taken from the laborer by lowering the market in which he sold his labor was given back by lowering the market in which he bought his goods. It was enacted that "wages having been fixed by laws, lest the honest and unconscionable workman should be wronged or discouraged by excessive prices for necessary commodities," prices should be fixed. Unfortunately, while the one enactment was quite explicit, the other was so vague that it must have been from the outset ineffectual. No goods were to be sold at an advance of more than twenty-five per cent. on the English market. From this restriction certain necessary commodities, such as linen, were excepted. In the sale of these "all men were to be a rule to themselves in keeping a good conscience, assuring them that if any man shall exceed the bounds of moderation we shall punish him severely."¹ As New England was in theology so was it in commerce. A man was to be tried by a code which was to be constructed by his judge after the offense had been committed. That the attempt to regulate wages proved fruitless is clearly shown by the fact that it was repealed in the following year.² We may well believe that this immediate failure was caused by the application of the system to handicraftsmen. For there the effect of competition comes into play at once. There is, no doubt, a difference between the quality of work done by one farm laborer and another, but it is often a difference which cannot be definitely estimated in money. Every one knows that two men may be working side by side on a farm whose work materially differs in quality. The better man will be more sure of employment; if temporarily incapacitated he will be more considered; but both will receive the same money wages. But the carpenter who can make three gates while his rival makes two is certain to receive better wages. A combination among the workmen themselves may ensure equality of payment by enforcing equality of labor. But as long as the workman is allowed to take his wares

¹ Mass. Records, vol. I. p. 111.

² *Id.* p. 127.

to open market, his superiority will assume a tangible and salable form.

The keen competition of colonial life soon proved too strong for the paternal efforts of government. In 1635 the Court recognized this by the repeal of the acts for regulating prices and wages.¹ An attempt indeed was made to keep up the system, substituting a smaller area. In the original act concerning wages it was provided that the constable and two assessors in each township should fix the wages of "inferior workmen."² Now it was decided that the freemen of each township should fix wages and prices. It is not unlikely that this may have actually had an effect on wages. Not a century ago the employers of labor in an English parish could meet and fix the price of labor. Just as the law of settlement put the English peasant at the mercy of the guardians, so the religious and political system of New England, which bound a man often to the church, and always to the township, and the restraints placed on all who stood outside that organization, may have made the same process for a while possible. But we may be sure that the facilities for acquiring land and the independence which that gave to the laborer must have been fatal to the permanence of such a system. As to the power given to each township to regulate prices, let any one picture to himself an English vestry settling, at the beginning of each month, what the parishioners should pay and receive for milk, poultry, and potatoes, and he can estimate the probable success of the system.

The most decisive proof of the breakdown of the whole attempt is the appointment of a committee in 1637 to consider the question of extortionate prices and high wages.³ Henceforth the legislature confines itself to edifying declarations of the moral duty of sellers. The prices of cattle "must not be judged by urgent necessity, but by reasonable profit"; all men are desired "to frame their commerce by this rule."⁴ There are indeed instances at a later date where the prices of livestock and corn are fixed by enactment. But this, in all likelihood, was for fiscal purposes. The price of the cattle was that at which they were to be rated, the corn was to be taken in payment of taxes. We are justified in believing this, since in none of these

¹ Mass. Records, vol. I. p. 160.

² *Id.* p. 223.

³ *Id.* p. 183.

⁴ *Id.* p. 331.

cases is there any preamble specifying the previous dearness of the article.

From all these details of New England life and industry one can without difficulty form a fairly accurate view of the manner in which classes were divided and wealth distributed. To estimate the actual amount of estates is not indeed easy. In 1650 the trade of New England was in its infancy, and even if we could learn the capitalized income of a Boston trader whose business was rapidly increasing, it would tell us but little. We can however to some extent gauge the relative comfort enjoyed by the different classes. In Massachusetts in 1643, we find that the daily meals provided for the Deputies were reckoned at three shillings a head. Those for their attendants were reckoned at one and fourpence.¹ The wages of a farm laborer about the same time were fixed at one and sixpence, and if food was given instead of wages, it was reckoned equal to tenpence. From this we can see what was the scale of living supposed to be appropriate to three different classes.

This enactment concerning wages also furnishes us incidentally with a measure by which to gauge the prosperity of the working classes in New England, and the rapidity with which they could emancipate themselves and rise to the condition of proprietors. Of a farm laborer's wages five-ninths were what he needed for food. We may deduct a third of the remainder for clothing. Thus the man who received ten and sixpence a week could lay by three shillings. In five years such a man might own a team of oxen, and rent as much land as they could plow, with the benefit of common rights. One guarantee for the prosperity of the farm laborer was the existence of handicrafts and of a seafaring population. These acted as a constant check upon the overcrowding of the labor market, besides offering to the farm laborer, or one should perhaps rather say to his children, additional possibilities of raising himself above his class. General expressions of satisfaction from Puritan writers may not be worth much. There is in them something of the exuberant complacency of men whose cause is prospering, and something of an unconscious desire to win recruits. But the evidence of a dry, matter-of-fact lawyer, somewhat hostile to

¹ These charges are given in a memorandum published among the Hutchinson Papers *Mass. Hist. Coll.* 3rd series, vol. i. pp. 16-20).

Nonconformity, is free from such suspicion. Lechford describes New England as a country where "the poor live by their labors and great wages proportionably better than the rich by their stocks, which, without exceeding great care, quickly waste."¹

Those forms of wealth which we have learnt to identify with secured prosperity were absent. There were no fund-holders and no landlords living on rent. One might almost go further, and say that there were no persons dependent on accumulated and Little or no funded wealth. invested capital. Here and there, no doubt, was a retired merchant or a widow living on the interest of a mortgage, but such forms of wealth did not enter into the economy of the colony as they do into that of an old-established country.

It would not be absolutely true to say that the relation of landlord and tenant was unknown in New England. In the Absence of landlords. Winthrop papers we find more than one reference to tenancies. In at least two instances it is clear these were of the nature of partnerships, in which the landlord found both land and stock; while in one of these cases the tenant proposed to pay, not a money rent, but a proportion of the produce.² But we may safely say that the system of landlord and tenant, as applied to agriculture, never took root in New England. It can only arise where there is a limited supply of productive soil varying in fertility. It can only work well where poor soils must be turned to account by a free outlay of capital, and where land has certain incidents attached to it which have a value for the possessor, but no marketable value to the tenant. Perhaps the most decisive proof of the absence of such a system in the early days of New England is to be found in the fact that none of the colonial codes so much as contain the words "lease" or "tenant."

Nevertheless we should err if we pictured to ourselves the soil of New England distributed in parcels, each capable of being tilled by the manual labor, or even under the personal supervision, of the owner. The early records both of Plymouth and Massachusetts show grants of a thousand acres were not uncommon, and in one case we find mention of fifteen hundred.³ There was, as we have seen, in Newhaven an instance of an estate of three thousand

¹ Lechford, p. 29.

² *Mass. Hist. Coll.* 4th series, vol. vii. p. 247; 5th series, vol. viii. p. 465.

³ Fifteen hundred acres were granted to Dudley in 1651 (*Mass. Records*, vol. iii. p. 247).

acres.¹ It is not to be thought that such grants were all brought under tillage. Part, no doubt, was rough pasture thinly stocked. But we may safely assume that as a rule these tracts of land were not allowed to remain idle. From the outset the various legislatures showed extreme jealousy of ground being held without being really occupied, and special enactments were passed whereby grants so employed were nullified. So, to prevent the consolidation of properties in specially desirable situations, it was enacted that if a "home lot," that is, a patch of ground in or near a town, was assigned for purposes of habitation, it was not to be sold, and that any attempt to transfer it should make it void.

At the same time it was impossible for men living in Boston, and to some extent taken up with public affairs, to manage large farms. This difficulty was got over sometimes by a **System of farming.** partnership tenancy, as just described, more often by the appointment of a bailiff or factor. Such, it may be remembered, was the shift by which the Plymouth settlers tried to meet the isolation of Duxbury, and the private correspondence of the leading settlers in Massachusetts shows the prevalence of the system there. No doubt the post of bailiff was one well fitted for a man with more skill and capacity than was needed for a manual laborer, yet without capital enough to stock a farm of his own, and probably it often served as a stage in the transition from the state of a laborer to that of a yeoman.

As time went on the influences which favored this system grew weaker. At first, while the prices of stock were high, and the keeping of it attended with many risks, the man without capital could hardly set up as a farmer. In a few years the **Distribution of land.** thrifty and industrious laborer would get a plot of land, part of that, it may be, already cleared by the natives, while his savings would enable him to buy seed corn and plow oxen. As the supply of live stock outgrew the need for importation, and as wolves and bears disappeared, such changes of condition would be easier, more numerous, and more rapid. As at first the small yeoman could not compete with the capitalist landholder, so now the landholder could not compete with the yeoman working at the head of his own hired laborers. The trade at Boston offered an ever increasing vent for accumulated capital, and rendered it too valuable to be locked up in land, farmed under disadvantage.

¹ See Mass. Records, vol. ii. p. 265.

eous conditions. Thus there sprang up a definite line of demarcation, with the commercial aristocracy, the rich traders of Boston, on one side, and on the other the landed yeomanry of the rural districts.

This was not counteracted by any of those causes which tend to keep land together in large masses, without regard to economical considerations, sometimes in defiance of them. The possession of land carried with it neither social pleasures nor political influence. To say that there was no feeling of hereditary pride, nothing of the idea of caste, in New England life would be untrue. In such families as the Winthrops, the Mathers, and the Chaunceys, the sense of inherited reputation and a corporate history was strong. But they were what a modern writer¹ has happily called them, the Brahmin caste of New England. The tie of hereditary association was preserved by community of tastes, of political and religious opinions, of literary eminence. A certain amount of wealth might be needful, just as Aristotle made it needful as part of the equipment of a perfect life, as a guarantee against debasing needs. But there was no special preference for any form of wealth as symbolical of the greatness of a family.

One result of this indifference to the accumulation of large estates was the growth of a custom of distribution of land by the living among their children.² This was, no doubt, fostered by the practice of early marriages, while it again reacted on that practice and confirmed it. One cannot doubt that the usage of distribution has had a lasting influence on American life in one of its best features, its indifference to the accumulation of large hereditary estates. Law may not be able to do much towards deciding the mode in which property shall be held and distributed. But when the wishes or interests of the community waver between two systems, the will of the larger or the stronger section, embodying itself in law, may turn the scale, and so strengthen one side that, even when conditions change, the system which has been once excluded may be unable to make headway. Thus in New England the influence of law worked together with

¹ Dr. Oliver Wendell Holmes.

² Upham, vol. i. p. 158. The author illustrates his statement by references to several instances.

natural conditions to favor the distribution and check the accumulation of landed property.

No custom of primogeniture existed. Freedom of bequest was permitted, but in case of intestacy the public authorities were allowed much discretion in ordering the distribution of property among the kin of the deceased. In Massachusetts and Connecticut this power was vested in the General Court; under the less centralized government of Rhode Island in the council of the respective towns. Settlements of property, except for protection of the wife, seem to have been unknown. This was perhaps more due to the absence of a class of skilled lawyers than to any dislike of the system.

The proximity of the Indians and the desire for cohesion, together with the need for clearing the soil, limited the supply of land, and made it, as it would seem, from the outset a marketable article. Thus, in the absence of any custom which either bound landed estates together or split them up, holdings assumed that size which suited the industry and resources of the country. As there was, on the one hand, no room for large non-resident or non-cultivating landholders, so, on the other hand, the conditions of life left no space for the small proprietor, living on the produce of a plot of ground, tilled by himself and his household. Such a system can only compete with one of large holdings when transport of produce to towns is easy, when rural industry can be supplemented by handicrafts, and when the area of soil is so limited in proportion to population that the land will pay for the most careful tillage. In the rough and thriftless husbandry of a new country, where land is cheap, there is no place for the man who occupies and cultivates a small holding. Thus farms in New England must have varied from between two limits. The largest was that which could be superintended by a single proprietor; the least such as could be stocked and tilled by a man who had just raised himself from the position of a laborer, and as would insure a profit beyond that which a laborer could earn in wages. In 1645 land in Plymouth, near a town, was worth two pounds an acre.¹ We shall probably not be far wrong in supposing that, taking into account the risks and hardships of colonial life, fifteen per cent. would be regarded as a fair return. If so, that quantity of land would be worth six

¹ Plymouth Records, vol. xii. p. 115.

shillings a year. We know that in Massachusetts a farm laborer in 1653 earned eighteenpence a day. It may be assumed that the prices of land and labor were nearly the same in Massachusetts and in the rest of New England. An income of thirty pounds a year would put its possessor in a slightly better position than that of a hired laborer, and to produce that income would require a hundred acres. We may suppose then that the man who could purchase and stock that quantity of land would do so, in preference to remaining a laborer. Smaller holdings might be occupied by those not wholly dependent on them, by school-masters, and possibly at times artisans. Thus the possession of land was within the reach of all, yet not too easily attainable. Proprietorship was not secured to any class by hereditary privilege or legislative interference. It had to be won by somewhat exceptional industry and thrift. Whatever may be the merits of different land systems as instruments of production, this, in its political and social results, is beyond doubt the most wholesome and the most stable that can be devised. One result of the dearth of labor was to bring about a kind of co-operation among farmers. When wood had to be cleared or land broken up, and at the more important operations of husbandry, such as the corn harvest, a man's neighbors would band together and give him voluntary help. Much of the work of the settlements too, such as road-making and the inclosing of the common land, would necessarily be done by all the freemen of the township, working as a gang. Thus, over and above the common tenure and cultivation of land, agriculture was far more than in an old country, such as England, carried on, not by individuals, but by communities.

The conditions of life in New England did not enable the settlers to dispense with a legal provision for the maintenance of the poor. In Plymouth we find a very complete Poor law in Plymouth. system in force. The town was the poor-law unit. The nature and extent of relief were to be determined at town meetings.¹ Officers were appointed to arrange the relief and employment of pauper children.² A portion of the public land was specially allotted as pasture to keep cattle for the support of the poor.³ No one might bring into the township any inhabitant

¹ Plymouth Records, vol. xi. p. 41.

² *Id.* vol. xi. p. 111.

³ *Id.* vol. i. p. 15.

who seemed likely to become chargeable, unless he gave security that in case of necessity he could maintain the person so brought.¹

The legislature of Massachusetts seems at first to have dealt with the question of pauperism as one which presented but little difficulty, and in which there was no need to consult the special wants or interests of the different townships. In 1639 it was enacted that any two magistrates might decide the question of settlement, and might dispose of paupers in such towns as they should think fit.² Six years later it was found necessary to appoint a special committee to consider the whole question of settlement. In 1659 a system was introduced which made each township responsible for its own paupers.³ Three month's residence was to give a settlement. If the township disputed this right the question was referred to the county court, with a further appeal to the General Court. Paupers with no settlement were to be chargeable on a county rate. In Rhode Island as early as 1647 an act was passed ordering each town to provide for the relief of the poor, by maintaining the impotent and employing the able, and to appoint an overseer. The absence of any fuller details was supplied by a general reference to the statute of Elizabeth.⁴

Among the many points of difference which separated the social and economical condition of New England from that of the Southern colonies, none exercised a deeper or more abiding influence than the position of the free laborer. In each there was **Servitude** a class bound by indenture to a fixed term of servitude. **in New England.** But in the North the laborer was, as a rule, free; the indentured servant who might be transferred from master to master without his own consent was the exception. And while in Virginia the laborer was severed from those above him by an inseparable gulf, in New England he constantly saw men extricating themselves from the class of workmen, rising into the class of landholders, and taking a leading part, it might be, in the political life of the community. In Plymouth it was enacted that the laborer should, when his indenture expired, receive an allotment of five acres. The free laborer in Virginia was kept back by the association of the slave gang, ever tending to draw him towards the level of the criminal and the negro. In New England he was continuously carried upwards by the prospect of independence. The same keen

¹ Plymouth Records, vol. xi. p. 192.
² *Id.* vol. iv. pt. i. p. 365.

³ Mass. Records, vol. i. p. 264.
⁴ R. I. Records, vol. i. p. 184.

sense of the corporate dignity of the commonwealth which made the New Englander so rigidly exclusive in his choice of fellow-citizens, guided him also in his choice of servants. We see evidence of this in the somewhat grotesque precautions with which Massachusetts guarded itself against the intrusion of any Irish servants.¹ There was no danger of a class of helots, standing aloof from the general life of the state, alien from its spirit and purpose.

In spite of his exclusiveness and self-respect the New Englander did not absolutely exclude the slavery of inferior races. But he kept it within such narrow limits that it never became a cause of serious social or economical evil. The legislature of Rhode Island, as much before the time in its views of personal rights as in its doctrines of spiritual freedom, specially enacted that no person of whatever race should be kept in bondage for more than ten years. Any attempt to violate this was punishable by a penalty of forty pounds.² It is even more to the honor of Rhode Island that in the very crisis of the great Indian war, when all were tempted to forget justice and most yielded to that temptation, she stood fast, and would not suffer the principle which she had laid down to be impaired.³

In all the other colonies there were a certain number of negro slaves. But it is clear that they never formed more than an unimportant excrescence on the industrial life of the country. A Massachusetts official writing in 1680 puts the number in that colony at a hundred and twenty,⁴ a less friendly witness at two hundred.⁵ Slavery, even as conducted on that small scale, begot something of that reckless brutality which seems its inseparable consequence. We read of a negro murderess in 1681 being burned to death at Boston.⁶ On the other hand, the indulgence shown to the negro slaves in Connecticut was such as to call forth a remonstrance from a fastidious visitor. Masters and slaves ate at a common table; "into the dish goes the black hoof as freely as the white hand."⁷ Nor should it be forgotten that as early as 1646 the legislature of Massachusetts

¹ Mass. Records, vol. iii. pp. 291, 294.

² R. I. Records, vol. I. p. 243.

³ *JA*, vol. II. p. 535.

⁴ Bradstreet; *Col. Papers*, 1680, May 18.

⁵ Randolph in Hutchinson Collection, p. 485.

⁶ It is referred to in the *Magnalia* (bk. vi. p. 40).

⁷ Mrs. Knight, p. 40.

raised its voice against the iniquities of the slave trade. The year before a cargo of kidnapped negroes had been brought to Boston. The Court ordered that they should all be taken back to their own country. In the preamble to this order the Court declared itself bound to bear witness against "the heinous and crying sin of man-stealing."¹

Something may be learnt as to the general status of slaves and indented servants from an order of Court in 1652. This provided that all Scotchmen, negroes, or Indians living with or serving the English should attend military training.² Four years later this order was repealed, so far as it applied to the negro and the Indian.³

The official reports of the condition of the New England colonies are wholly silent as to the presence of Indians among the servile class. That there were Indian slaves is proved by the entry in the records just quoted, and by other incidental references. But, as a rule, they must have been unprofitable, and even a source of danger. When the fortune of war threw a large body of Indian captives into the possession of the English, it was found best to sell them as bondsmen into the West Indies. So in 1645 Emmanuel Downing⁴ writes to Winthrop: "I doubt whether it be not sin in us to suffer them to maintain the worship of the devil, which their pow-wows often do; secondly, if upon a just war the Lord should deliver them into our hand, we might easily have men, women, and children enough to exchange for Moors." It was perhaps well for the public morals of New England that the unfitness of the Indian for servitude lessened the temptation to an unjust war.

The attitude of the New Englander to his savage neighbors was determined by three sets of motives. The Indian was, first and chiefly, a foe to be kept off; he was, secondly, a customer with whom to buy and sell; his most unfrequent and unimportant aspect was that of a convert to be

¹ *Mass. Records*, vol. ii. p. 168; vol. iii. pp. 49, 84.

² *Ib.* vol. ii. p. 268.

³ *Ib.* p. 397.

⁴ The father of that notable apostate, George Downing, and, to judge from this letter, very worthy to be his father. The letter is in *Mass. Hist. Coll.* (4th series, vol. vi. p. 65). This impression of his character is quite confirmed by another letter written by him in 1643 to Winthrop. He expresses his fear that the Lord is offended with them for sparing the lives of Gorton and his companions. He hopes that some of them may yet be tried; "if yet you shall spare them I shall fear a curse upon the land." This detestable letter is in the *Mass. Hist. Coll.* (3rd series, vol. i. p. 15).

taught and saved. Of the hostility of the white man and the native we have already seen something; its latest and sternest scene has yet to come before us.

In commercial dealings with the savage the clear sense of the New Englander and his self-respect, above all his willingness to

Legale. without to restrain for the corporate good, saved him from the debasement which too often attends such in-

See as to Indians in Plymouth. *vernacular.* The private trader was not allowed to cheat and corrupt the natives. In Plymouth as early as 1627 we find a trader punished by forfeiture of his goods for violating "an ancient law of the colony" which prohibited trade with the Indians. In 1633 a special enactment was passed against selling them wine or intoxication,¹ and the same prohibition was extended in 1646 to strong drink.² In 1640 the restriction in trading with the natives for furs was withdrawn by an order of the Court,³ and the whole question was treated from time to time with greater or less laxity according as the relations with the natives were friendly or threatening. In 1643 an act was passed prohibiting all traffic in land with the Indians.⁴ In 1657, and again in 1662 the General Court took measures to protect them against injury from the stray cattle and swine of the English.⁵

In Massachusetts it was enacted in the very first year of the colony's existence that no persons should trade with the Indians or hire one as a servant without license, and that no Indian in Mass. should be allowed to carry firearms.⁶ Public trucking houses for Indian trade were established, one in each township, and all private trade was forbidden.⁷ In 1637 it was enacted that no one should deal with any Indian outside the colony.⁸ In 1644 an exception was made to the general principle of legislation, and the statute book of Massachusetts was disgraced by a law permitting the sale of wine to the natives, on the ground that it was not just "to deprive them of any lawful comfort which God alloweth to all men."⁹ But in 1657 a very stringent act was passed on the subject of Indian trade.¹⁰ No unlicensed person was to trade with the Indians under a fine of a hundred pounds, and the sale of drink was prohibited with a penalty of forty shillings for each pint so sold.¹¹

¹ Plymouth Records, vol. i. p. 30.

⁴ *Id.* vol. ii. p. 4.

⁷ Mass. Records, vol. i. pp. 76, 83.

¹⁰ *Id.* vol. ii. p. 85.

² *Id.* vol. xi. p. 33.

⁵ *Id.* vol. xi. p. 57.

⁸ *Id.* p. 96.

¹¹ *Id.* vol. iii. p. 424.

³ *Id.* p. 54.

⁶ *Id.* pp. 123, 137.

⁹ *Id.* p. 196.

¹² *Id.* p. 426.

Here, as in Plymouth, the prohibition of arms and ammunition was not rigidly nor consistently enforced. As early as 1634 Indians in the employ of the English were suffered to use firearms.¹ Three years later this was overridden by an act which wholly prohibited the sale of arms or ammunition, and empowered the Court to fine all offenders ten pounds, and in default to administer corporal punishment.² In 1642 this was re-enacted with an added clause which forbade the repair of guns belonging to Indians, a sufficient proof that the earlier enactments had been broken.³ In the very same year, however, this was relaxed, and an order issued for restoring to the natives their guns.⁴ Henceforth we may say that, except in times of special danger, no attempt was made by the government of Massachusetts to restrain the Indians from the use of firearms.

The position of the townships on the Connecticut from the older settlements, flanked on each side by the forest, and threatened by the possibility of an alliance between the In Connec- savages and the Dutch, rendered special precautions necessary. Accordingly in the very first year of the colony it was enacted that no arms or ammunition should be sold to the Indians, and the penalty in case of offense was left to the discretion of the Court.⁵ Three years later this was re-enacted, with an added clause which prohibited the mending of an Indian's gun.⁶ There was in the case of Connecticut yet another danger. Along the coast the Indians were reduced by pestilence, so that there was no native population of any importance interspersed among the settlers. But in Connecticut it was otherwise. Indians lived scattered among the English, even within the townships as tenants, subsisting probably by the sale of game and fish. A forest life with the savages as companions had attractions for the younger men. The legislature found it needful to make the act of resorting to the Indians a crime, punishable with three years' imprisonment,⁷ and the residence of natives on the land acquired by the English was fenced in with restrictions.⁸ A system of frank-pledge was also established, whereby each Indian village, represented by the sachem, was made responsible for wrongs done by any of the inhabitants.⁹

¹ Mass. Records, vol. i. p. 127.

² *Id.* p. 196.

³ *Id.* vol. ii. p. 16.

⁴ *Id.* p. 27.

⁵ Connect. Records, vol. i. p. 1.

⁶ *Id.* p. 79.

⁷ *Id.* p. 530.

⁸ *Id.* pp. 52, 73, 106, etc.

⁹ *Id.* p. 19.

In New-
haven. In Newhaven neither arms, ammunition, boats, dogs, horses,
nor strong drink might be sold to Indians,¹ and all
private traffic with them in land was forbidden.²

Like restrictions, though less minute, existed in Rhode Island.
That they were not wholly successful is shown by the appointment
of a committee in 1655 to devise means for checking
the contraband trade with the natives in firearms.³

Plymouth had been in existence for more than twenty years,
and Massachusetts for more than ten, before New England was
the scene of anything that could fairly be called mis-
sionary work.⁴ Here and there indeed an Indian ser-
vant accepted the religion of his masters. A savage on the
border might now and again be persuaded that the God of the
white man was mightier, better able to destroy or to protect him,
than the god of his fathers. The singular combination of an
acute intellect with an exceptionally docile temper might lead a
native to some real comprehension of the truths instilled into him
by his Christian teachers. Such an one perhaps was Wequash, a
chief among the Pequods, who apparently joined the English in
time to escape the ruin of his tribe, and died working as a
missionary among the remnant of them, poisoned, it was thought,
by those who deemed him an apostate from their faith.⁵ But the
very prominence which was given to this one distinguished con-
version is the best proof how scanty was the harvest. Indeed, it

¹ Newhaven Records, vol. i. pp. 60, 206; vol. ii. pp. 195, 217, 219, 299, 362.

² *Ib.* vol. i. pp. 27, 200.

³ R. I. Records, vol. i. p. 380.

⁴ The missionary labors of New England among the Indians were recorded in a series of pamphlets, of which the titles and dates are as follows: *The Day-breaking, if not the Sun-rising, of the Gospel with the Indians in New England*, 1647. *The clear Sunshine of the Gospel breaking forth upon the Indians in New England*, by Mr. Thomas Shepard, 1648. *The glorious Progress of the Gospel amongst the Indians in New England*, 1649. This includes letters from two of the leading missionaries, John Eliot and Thomas Mayhew the younger. *The Light appearing more and more towards the Perfect Day, or a farther discovery of the present state of the Indians in New England concerning the Progress of the Gospel amongst them*, 1651. *Strength out of Weakness, or a glorious manifestation of the further progress of the Gospel among the Indians in New England*, 1652. *Years of Repentance; or a further narrative of the Progress of the Gospel amongst the Indians in New England. Related by Mr. Eliot and Mr. Mayhew*, 1652. *A late and further Manifestation of the Progress of the Gospel amongst the Indians in New England. Related by John Eliot*, 1655. These are all republished in the *Massachusetts Historical Society's Collection*, 3rd series, vol. i. They are also in the series of reprints recently published by Mr. Sabin. There is yet another important pamphlet, *A Further Account of the Progress of the Gospel*, 1659.

⁵ Winthrop, vol. ii. p. 74.

was scarcely possible for the Puritan, being what he was, to spread the Gospel among the Indians, till they were so far subdued and overawed that men of alien faith and speech might safely venture among them without wholly severing their connection with civilization. The French missionary plunged into the wilderness, detached himself from his countrymen, and set up his solitary church among the wigwams of the savages. But his success was won at a price which the New England divine would never have consented to pay. The French missionary well nigh broke with civilization; he toned down all that was spiritual in his religion and emphasized all that was sensual, till he had assimilated it to the mental wants of the savage. The better and the worse features of Puritanism forbade a triumph won on such terms. The missionary policy of each church was indeed in harmony with its general principles. The Church of Rome went forth to conquer the world of barbarism, heeding not if she herself were contaminated and her purity impaired in the conflict. Calvinism was content to single out a small band of elect, a little oasis of true believers amid the waste of heathenism.

The first missionary enterprise on the soil of New England was the work, not of any public or official body, but of a private man, and was carried on outside the limits of any of the colonial governments. In 1641 a portion of Lord Stirling's American territory was bought by Thomas Mayhew, a freeman of Massachusetts.¹ He had come out to the colony with the first settlers as factor for Cradock. The employer's letters plainly show that he was dissatisfied with Mayhew, and even suspected his honesty. His later career effectually wiped out any memory of these perhaps discreditable antecedents. Whether at the time of purchase Mayhew had any definite project of forming a missionary settlement does not appear. The land in question was specially fitted for such a purpose, consisting as it did of the two islands south of Cape Cod, containing in all about a hundred and twenty square miles, and separated from the mainland at the nearest point by a strait about three miles broad. The smaller and more easterly island kept its Indian name, Nantucket. The

¹ The authorities for Mayhew's doings among the Indians are very clearly brought together in a monograph about Dukes' County in the third volume of the second series of the *Massachusetts Historical Society's Collection*.

² Hutchinson, vol. I. p. 162.

other, originally Capawak, took the name of Martha's, or, as it was sometimes called, Martin's, Vineyard. It is unlikely that Mayhew would have withdrawn himself from the jurisdiction of Massachusetts unless with some purpose such as that which he afterwards accomplished. In 1643 he began his labors as a missionary. He was fortunate in gaining a zealous colleague in his first convert, an Indian named Hiacoomes. Mayhew has left a graphic description of the difficulties which beset them.¹ One chief publicly buffeted Hiacoomes, and pointed to him with contempt as "the Englishman." Another warned him that it was rash for a man with a wife and two young children to break with a religion whose ministers held in their hands the power of life and death. What would he do if any of his house fell sick, and the powwow of the village refused help? A third told Hiacoomes that it was the act of a fool to barter thirty-seven protecting deities for one, though in time he accepted the assurance that the God of the white man was mightier than all the gods of the heathen. Mayhew's labors were not limited to the teaching of doctrinal Christianity. Schools were set up in the various Indian villages of the island, in which the children were taught to read and write. The natives were also persuaded to accept the English law, at least in part, and to establish petty courts under elected magistrates. From these there lay an appeal to the Court of Plymouth.²

The sustained battle against the hardships of a new country, the Antinomian conflicts, the Pequot war, the task of fashioning legislative political institutions, of giving them stability, and of measures for defending them against dissidents within and against converting the natives, the interference of the authorities in England, all these left the government of Massachusetts little time for the task of conversion. The years which followed the establishment of the Confederation were comparatively years of tranquillity, and the example set by Mayhew cannot have failed to stimulate the rulers and the friends of Massachusetts to like labors.

In 1744 the General Court of Massachusetts passed a rather vague resolution empowering the various county courts to take

¹ In a letter published in *Light Appearings*.

² See the *Answer of the Converted Indians*, published in 1694, by Experience Mayhew, a grandson of the original missionary.

steps for civilizing the Indians and instructing them in the knowledge of God.¹ Two years later the Court issued an order that the Elders of the churches should every year choose two persons, who should go, accompanied by any that thought fit to volunteer, and endeavor to bring the Indians to the knowledge of truth and Jesus Christ.²

But in Massachusetts, as in Plymouth, the first actual step was the work of private zeal. John Eliot, the pastor of Roxbury, had already in his eagerness for the task of conversion mastered the Indian speech.³ In October 1646 he went with three companions among the natives in the Massachusetts territory preaching

Christianity.⁴ Like Eliot, Mayhew did not aim at

John Eliot. extending Christianity through the whole mass of the native population. He was content to withdraw a certain number of them from the corrupting influence of their barbarous fellows, and settle them as a village by themselves. In four years two communities were gathered together, one at Nomantum, the other at Concord.⁵ A code of laws was drawn up for their guidance, enforced for the most part by fines, but in some extreme cases by capital punishment.⁶ In the code were one or two somewhat grotesque, though possibly needful, regulations for personal decency. In some instances they seem to breathe something of the spirit which animated the English rulers of Ireland. Customs harmless in themselves were forbidden, seemingly because un-English. The natives were "to wear their hair comely as the English do," to abandon their native games, and to give up a practice like that prescribed by the Mosaic law, the separation of women. In this scrupulous avoidance of native usages even when innocent in themselves, Puritanism was acting in the same spirit which dictated its policy towards the Church of Rome. This is well illustrated by a passage in Cotton Mather. He

¹ Mass. Records, vol. ii. p. 84.

² *Ib.* p. 178.

³ By 1668 Eliot had so far mastered the language as to publish an Indian grammar. This is in the *Massachusetts Historical Collection* (2nd series, vol. ix.) It does not quite appear how much progress he had made when he began his missionary work. It is evident that at the outset a good deal of the instruction was given through an interpreter. At the same time either Eliot himself or one of his companions was able to pray in the Indian tongue (*Day-breaking of the Gospel*, p. 13).

⁴ Eliot's first efforts are described by him in the *Day-breaking*.

⁵ *Day-breaking*, p. 22; *Clear Sunshine*, p. 3.

⁶ Apparently the Indians at Concord of their own free-will copied the system in force at Nomantum.

Each of the colonies started with a general acceptance of the English common law. But in each case the special needs of colonial life, and the peculiar conception of the obligations which bound the individual to the community, led before many years to the establishment of a code.¹

Laws
codified.

The advantage of codification seems to have been readily recognized and the process accomplished without difficulty in each of the colonies except Massachusetts. There it formed for six years matter of dispute. The code was repeatedly promised and as often delayed. In 1635 a committee of four, including Winthrop and Dudley, was appointed for that end.² They produced nothing. Resolution upon resolution was passed, and one committee after another nominated, but it was not till 1641 that the code known as the Body of Laws was established.³ This delay was no doubt partly due to the dangers and distractions which beset the colony, partly, it may be, to a dread lest such a measure should be interpreted by watchful enemies in England as a declaration of independence. But we may also believe that another motive was at work. The freemen, as represented by their Deputies, exercised a real and a steadily increasing influence on all questions of public policy. But the administration of affairs was virtually in the hands of a small body, who looked with suspicion on any measure which tended to fetter their liberty of action in judicial matters. Of that we have already seen one instance.⁴ The same spirit, in all likelihood, made them adverse to the establishment of a code. In fact, the whole tendency of opinion among the rulers of Massachusetts was opposed to definiteness and exactitude in judicial matters.

This danger was increased by that absence of any distinct and separate judicial body which was the weakest point in the constitutional system of the New England colonies. In each of them justice was administered in local courts. Their power however was confined to small cases, civil and criminal. Supreme jurisdiction was in the hands of a central court. This in Massachusetts consisted of the Assistants and Deputies, and was thus identical with the legislature. In the other

Absence
of any
separate
judicial
body.

¹ The codes of Plymouth, Connecticut, and Newhaven are all to be found among the published records of those colonies.

² Mass. Records, vol. I. p. 147.

³ Mass. Records, vol. I. p. 346.

⁴ Vol. II. p. 347.

colonies the Supreme Court was the Governor and the Assistants. In each case it was a popularly elected body, holding office for a year only, and chosen primarily for other purposes. It can assuredly be no matter for surprise if there was a constant tendency to forget those limits which mark off the province of law from that of morality, a tendency increased by the absence of professional lawyers. The inclination of laymen will always be to judge every case on its own special merits, indifferent to the fact that they may be thereby establishing conflicting precedents. That will be most of all the case with a shifting tribunal amenable to political motives. Happily there were features in New England life which lessened the danger. Though the General Court was nominally a variable body, yet for practical purposes it was a stable one. Year after year representatives were chosen from the same class, men therefore imbued with the same traditions and mental habits. Except in times of some special excitement there was no likelihood of a sudden or complete change. Politicians were not marshaled against one another in two armies, ever engaged in an avowed struggle for office. Place was looked on as a burden at least as much as a privilege. Under such a system men are chosen to serve their country for their zeal and efficiency as administrators, or at least for their probity and public spirit, not for their skill in the tactics of party warfare. Thus, though the system which intrusted judicial duties to an elected legislature had its drawbacks, it was not the intolerable curse which it would be under the modern conditions of political life.

The same spirit which made the New Englander a persecutor in religious matters prompted him to subject the life of every citizen to a system of minute interference and control. For him there was no line of distinction between self-regarding sins and crimes against society. That line, indeed, may be drawn by theorists; it may be well that the legislator should keep it in view as a guiding principle; but it would be absurd to treat it as furnishing a simple and effective test of the proper limit of legislation. A modern legislature leaves many crimes to be dealt with by public opinion, not because the members of that legislature are indifferent to them, but because the attempt to suppress them would be futile, and would bring about worse evils. In making drunkenness and uncleanness penal, the New England legislatures were neither outrunning public opinion

Laws controlling private life.

nor overtaxing their own powers of police. Their legislation must not be judged as we judge the penal legislation of England in the present day: it was rather like the discipline of a regiment, a ship, or a college. We see this in the nature of the punishments inflicted. The very person of the criminal was so dealt with as to make him a living proclamation against vice. One who "behaves contemptuously towards the Word preached or the minister thereof, or interrupts the minister in his preaching, or charges him falsely with error, or makes God's ways contemptible and ridiculous" is to be labeled a "Wanton Gospeller."¹ A convicted drunkard is to go about with a large red D on him;² a woman guilty of incontinency with an Indian is to wear the figure of her paramour cut out in red cloth and fastened to her sleeve.³ Such punishments are manifestly intended for a small community where every man is known to his neighbors, and where publicity acts in itself as a shame to the offender and a warning to others.

Both in Massachusetts and Connecticut legislation took cognizance of dress. In the former colony an act was passed in 1634 ~~Respecting~~ prohibiting certain articles of attire, such as gold or ~~or dress~~ silver girdles, hatbands, belts, ruffs, or beaver hats. Those, however, who already owned such things might wear them but except in the case of immoderately great sleeves or slashed apparell, whose guilt was too monstrous for even a respite.⁴ In 1650 an act was passed limiting the right to wear gold lace or great boots to those who either belonged to the family of a magistrate or possessed two hundred pounds a year.⁵ In Connecticut extravagant dress was not actually prohibited. But it was discouraged by a system reasonable enough and practicable in a small community. The cost of a man's clothes was taken into account in assessing him for the public rates.⁶

It was very certain that Puritanism, free and dominant, would use its power to suppress those practices which in England it had ~~condemned~~ ever denounced as sinful. Dicing, card-playing, shovel-board, wearing long hair, and masquerading in vizors are all forbidden.⁷ Drinking of healths, too, was made penal.⁸ It is evident from Winthrop's tone that he looked on this as an

¹ Mass. Records, vol. i. p. 179.

² *Id.* vol. i. pp. 107, 112.

³ *Curative*, *For Zepherus* p. 174.

⁴ Mass. Records, vol. i. p. 126.

⁵ *Id.* vol. ii. p. 243.

⁶ Connect. Records, vol. ii. p. 216.

⁷ Mass. Records, vol. i. p. 84; vol. ii. p. 195; Plymouth Records, vol. xi. p. 96.

⁸ Mass. Records, vol. i. p. 172.

important reform, somewhat in advance of public opinion.¹ Dancing was prohibited in inns,² and certain specified persons were admonished to avoid it.³ But the very fact that this prohibition was exceptional and applied to individual cases shows that the amusement was ordinarily tolerated. This is confirmed by an extant letter from Cotton, in which he discusses the question of mixed dancing, and pronounces in favor of it on the ground that it is twice mentioned in the Bible with approval.⁴

The attempt of Puritanism in New England to extirpate the lighter enjoyments of life by enactment was no doubt attended by the evils which must always follow such a system, by the danger of hypocrisy and reaction. But it must be borne in mind that it differed widely from the like endeavors in England. The Puritan in America was not the representative of a faction, using his hour of victory to crush out tastes and habits endeared by the usage of many generations. Nor was he, at least in the days which we are now considering, hurrying on moral reforms which were really in advance of the general sense of the community. The legislation of New England did but approve and confirm those modes of life the adoption of which had been the chief motive for colonization.

There was a worse side to this legislation than its compulsory asceticism. The penal legislation of New England was not only arbitrary harsh, but it was both vague and arbitrary. We have seen how readily at a grave crisis it could be turned into an instrument of vengeance against individuals. The same spirit which struck at the Antinomians, regardless of specified laws and pre-ordained penalties, showed itself in smaller matters. Individuals are often reprov'd, sometimes punished, not for having broken any law, but because the general tenor of their conduct is unsatisfactory to the legislature. In Plymouth goodwife Ramsden is admonished against "wanton going in the company of young men."⁵ In Massachusetts a man is warned to take heed of light carriage,⁶ and the indefinable offense of "idling" is made

¹ Winthrop, vol. I. p. 324.

² Mass. Records, vol. iii. p. 224.

³ *Ib.* vol. i. p. 233; Plymouth Records, vol. ii. p. 174.

⁴ Letter from Cotton to Levett (*Mass. Hist. Coll.*, 2nd series, vol. x. p. 183). Cotton's decision in no way goes beyond ordinary common sense and decency. He condemns "only lascivious dancing to wanton ditties, and in amorous gestures and wanton dalliances, especially after great feasts," a view, it may be hoped, not distinctive of Puritanism.

⁵ Plymouth Records, vol. ii. p. 174.

⁶ Hutchinson, vol. I. p. 436.

or exclusion of members, the churches were bound together as a confederation. The nature of the federal bond was not indeed defined in express terms; in each successive dispute the contending parties would strive to make it more rigid or more lax. But its existence was never questioned. No New England church ever made a claim of absolute independence. In the ecclesiastical, as in the civil constitutions of the colonies, the ultimate supremacy of the whole body was combined with a large share of local independence. The likeness between the positions of the church and the township gave life and strength to each.

Lechford gives a clear, and we may presume an accurate, account of the process by which a church was formed, and of its practical working. A body of believers, having satisfied themselves of one another's faith and repentance, solemnly entered into a church covenant, that is to say, a joint promise of upright life in Christ and mutual edification and support. The officers of the church were then elected by the whole body and ordained by certain leading men. But it is to be observed that the ordination was not supposed in itself to convey the office. That was given by the election, all that followed was merely a ceremonial confirmation. Thus an appointment to hold office in one church carried with it no rights in any other church. This was of great importance, since it lessened the danger that the clergy might become a caste, a very real danger under the conditions of New England life.¹ After the first constitution of the church fresh candidates for membership were recommended by the Elders. If they could then give a satisfactory account of the work of grace in their soul, and if no member of the church brought forward anything against them, they were admitted.²

The elected staff of the church consisted of a Pastor, a Teacher, Elders, who acted as the executive body of the church and its representatives in all dealings with other churches or with the civil power, and Deacons.

There is, perhaps, no detail which seems to put so wide a gap between the Puritan colonist and the English churchman as the simple fact that for sixty years New England heard no marriage³

¹ This is clearly set forth by Hooker in his *Survey of Church Discipline*.

² Lechford, p. 2.

³ Bradford, p. 62; Winthrop, vol. ii. p. 313.

nor funeral service.¹ That union which the Church has made a symbol for the greatest of her mysteries was a mere civil contract; that which she has recognized as the supreme triumph of her Lord over His last enemy sank to a mere touching and solemn incident in man's destiny. The Puritan stubbornly thrust aside every ordinance or usage which had ever served as a foundation for the ceremonial system of the Romish Church. The Anglican Reformers retained so much of that system as was needful to remind men that in life and in death they were the subjects of the Church: in doing so they gave her a hold over the hearts of her followers not less powerful or less precious to her than her hold over their reason. Puritanism despised that source of influence; as the price of her contempt she could claim no influence over those to whom the crudity and narrowness of her dogmas had been once revealed.

Though in its constitution and government the church was the church of the faithful communicants, yet in another way it was the church of the whole township. All the townsmen, whether church-members or not, had to attend its ministrations under pain of those written penalties, and, worse still, that written condemnation by public opinion, to which all were exposed who neglected the ordinances of religion. Thus they had to accept forms of worship over which they had no control, and the ministrations of a pastor whom they had no voice in choosing.

Furthermore all church-members and non-members were held liable for the maintenance of the clergy. Though Non-conformity has always used the phrase "a hired ministry" as a term of reproach, none of its more representative or reputable bodies have ever so far deviated from common usage or common sense as to depend on unpaid work. The compulsory payment of the minister does not indeed, seem to have been a universal practice nor it have been adopted at the outset. In the early days even of Plymouth and Massachusetts the stipend of the minister seems to have been settled by special agreement in each instance. But in 1657 an act was passed in Plymouth ordering

¹ *Camford*, p. 39. These regulations only apply to Massachusetts and Plymouth. But we may be sure that if there had been any diversity of usage in the other colonies we should have heard of it.

that a rate should be levied in every township for the maintenance of a teaching ministry.¹ The appointment was assigned to four men elected by the townsmen to that end, or, in default of such election, by the magistrates.

In Massachusetts the system seems to have been adopted in individual cases before it was made universal. In 1637 an order of the Court imposed a rate for the maintenance of a minister on all the inhabitants of Newbury, whether church-members or not.² In 1654 the county courts were empowered to impose church rates on the various townships, to be assessed by the Selectmen. It would seem from the words of the enactment that this was not an instruction of universal application, but a discretionary power given to the county courts.³

In Connecticut an act passed in 1650 made it incumbent on every town to maintain the minister of the church there,⁴ and at a later day we find a reference to glebe or, as it is called, "ministry land."⁵ This was, beyond doubt, a violation of the strict theory of Independence. It was in fact a confusion of two distinct principles. One supposes each congregation to be an exclusive body of believers, marked off by its spiritual communion from all beyond it. The other assumes that the Church is justified in regarding all mankind as her subjects; the jurisdiction of each separate branch is only limited by conditions of convenience. The New England churches were by their constitution modeled on the former view, but the state, in dealing with them as the churches of the various townships, accepted the latter theory. Doubtless it was well for New England Puritanism that this constraint was put upon it. The implied alliance with the state gradually forced the New England churches into a comprehensiveness alien to their proper nature; it saved them from dwindling into little oligarchies wholly out of harmony with the mental movement and spiritual growth of the community.

The theoretical independence of the individual churches was limited by two considerations. In Massachusetts the law which

¹ Plymouth Records, vol. xi. p. 67.

² Mass. Records, vol. i. p. 216.

³ Mass. Records, vol. iii. p. 354.

⁴ Connect. Records, vol. i. p. 545.

⁵ *Ib.* vol. ii. p. 557.

made church-membership a needful qualification in a citizen, practically vested in each of the churches, the power of admission to civic rights or exclusion from them. Need for extraneous authority over the churches. Plainly such power could not be left in the hands of a number of irresponsible bodies.

There was, however, another and, as it would have seemed to most men in New England, a still stronger reason for such control. The attitude of the New Englander towards heresy was one which it is difficult for us to enter into, from the total absence of any like sentiment in modern life. It is easy to understand the feeling of the churchman, in whose eyes the heretic is a rebel against a divinely appointed order. It is for most men still easier to understand the feeling of the earnest believer, who sees his fellow-creatures being led away from the true faith, directly and indirectly, by precept and by example. With both those views may blend one, often unacknowledged, of the personal sinfulness and hatefulness of the heretic. But to the New England Puritan heresy was all this, and it was something yet more. He had, it was needful that he should have, that feeling of the unity of the state which modern communities, broken up into classes, each with its own principles and objects, have lost. That feeling was fostered by his conditions of life, and even more by his reading of the Bible. The sin of the individual was the sin of the whole nation, which would bring a curse in its train, quite apart from its own direct consequences. Heresy was an unclean thing; the presence of the misbeliever was a danger like that of the secret sinner in the Jewish camp, like the house under a hereditary curse in the Greek commonwealth.

The devising of a rigid system of doctrinal orthodoxy for the confusion of the Antinomians was the first result of the collective action of the New England churches. The synod of 1648. The necessity for united action in the face of a common foe doubtless reconciled many to that which would otherwise have seemed a pernicious defection from the theory of Congregationalism. Six years later the dread of certain innovations which seemed to tend towards Presbyterianism again led the divines of New England to acquiesce in the holding of a synod. Winthrop shortly records the fact of its meeting, but neither he nor any other contemporary witness tells us anything of its deliberations. But it is clear that there was now a decided, though far from unanimous, feeling

in favor of defining what one may call by analogy the federal relation between the various churches.¹

In 1646 certain Elders submitted a proposal to the General Court of Massachusetts to the effect that it should summon a synod.² The proposal was a matter of debate between the two chambers. The Deputies held, not altogether without reason, that the assembly was thereby exercising over the churches an authority for which it had no warrant, firstly, by summoning them to send representatives, secondly, by the claim, which was an indirect consequence, to enforce the decision of such a synod. To this the Assistants answered that the right of summons was contained in the right which the magistrate had to maintain the churches in purity and truth, and that the action of the synod would be only deliberative and hortatory, not legislative. The first of these pleas was a vague assumption of undefined power. Finally the Assistants so far gave way on that point that the motion as carried only recommended, and did not prescribe, a synod.

Yet even so the churches of Boston and Salem refused to send representatives, on the ground that the civil authority had no power to permit or forbid the convening of a synod.³ According to Winthrop, this opposition was largely due to that spirit of latitudinarianism which had invaded Boston, and which at the same time showed itself in the action of Childe and his fellow-dissentients. The Elders of Boston, driven to choose between disobeying the Court or their own church, took the latter course, and thus practically abandoned the strict Congregational theory.

The synod met and remonstrated. At length the unwilling church so far gave way that a majority voted for sending authorized representatives. The delay thus caused made it necessary to adjourn over the winter. Before the synod met again the government of Massachusetts had fought and won the battle against Childe and his associates. On the one hand, the dread of Presbyterianism may have somewhat fettered the centralizing action of the synod. Yet, on the other hand, the danger was in itself a motive for combination. It might well seem needful to devise some machinery whereby pub-

Proposals for another synod.

The churches of Boston and Salem refuse to join the synod.

The synod meets.

¹ Winthrop, vol. ii. p. 137.

² *Id.* p. 264.

³ *Id.* p. 269.

lic opinion should act readily and effectively on each individual church. Just as the dread of an enforced union under a Crown Governor was one of the motives which led to the federal union of the colonies, so the dread of Presbyterianism may have operated to bring about the system of ecclesiastical federation which was implied in a synod.

Moreover, during the adjournment a case arose which illustrated the need for some supreme jurisdiction over the individual church. A minority of the church at Weymouth, aggrieved by the expulsion of a member, appealed to the synod. That body was on the point of breaking up, and on that ground declined to go into the matter. It was then brought, in a somewhat informal way, before the Elders of all the churches. A conference was held, the case was heard again, and the contending parties reconciled. The really important point in the whole matter was the jurisdiction claimed by the whole body of churches over each individual member. Some objected that such intervention was not justifiable unless it were asked for by the individual member. To this Winthrop says "it was answered that it was not to be expected that the major party would complain of their own act, and if the minor party or the party grieved should not be heard, then God should have left no means of redress in such a case, which would not be." In other words, the theory of church rights held by Brewster and by Roger Williams was untenable.

The synod again met in June 1647, but the sitting was suspended by the outbreak of an epidemic.¹ Fourteen months later it met for a third time, and, in the words Winthrop, "went on comfortably."

The result of its deliberation was a so-called Platform of Discipline. As regards the formation and procedure of churches it added nothing to the system already in force. But henceforth that system, instead of resting on usage and on the voluntary approval of each separate church, assumed the nature of a federal compact.²

Where the platform did make a practical change was in defining the relations, firstly, between the whole body of churches and

¹ Winthrop, vol. i. p. 171.

² Winthrop, vol. i. p. 171.

³ *ibid.* p. 171. The platform is printed in full by Mather (*Magazine*, bk. v. p. 23-24) and in a clear summary in *ibid.* p. 25-26.

each individual church; secondly, between the churches and the civil power. Nominally the principle of independent congregations was secured by the declaration that churches were distinct and equal, and have not dominion over one another. But unless dominion be taken to mean the habitual exercise of authority, this declaration was nullified by the reservations subsequently attached to it. A church "rent with divisions" or "lying under an open scandal" may be rebuked. A synod may take cognizance of such matters. In the absence of a full synod, this function might be discharged by a council of the neighboring churches. This body might declare an obstinate or impenitent church to be out of communion. It might authorize any other church to receive seceding members from the offending church.

The provisions of the platform conferred no power on the civil magistrate greater than those which the government of Massachusetts had already exercised. But though the principle of state-control was not extended, it was made more definite, and it acquired all the weight which could be given by the formal sanction of the whole body of churches. Idolatry, blasphemy, and heresy were to be restrained and punished by civil authority. This system applied alike to individuals and to congregations. In case of a schismatical church, or one "walking incorrigibly and obstinately in any corrupt way of its own, contrary to the rule of the Word," the magistrate might put forth his coercive power. The platform was laid before the General Court of Massachusetts and before the whole body of churches, and was, as it would seem, almost unanimously accepted.¹ Without a protest the rulers and divines of Massachusetts were suffered to block every loophole through which free speech could make its voice heard.

Even during the lifetime of Winthrop a feeling was springing up in Massachusetts against the law which limited full civic rights to members of a church. The demand for a relaxation might be met in two ways. The law might be abolished, and the franchise extended to those who were without the churches, or the conditions of membership might be made easier. The conditions of New England life made it almost certain that the first move would be made along the latter line. We may be sure that many who were not church-members would have shrunk as much as Endicott

¹ *Mass. Records*, vol. iii. pp. 177, 240.

or Wilson from granting political rights to the Baptist or the Quaker. Those among the excluded who could make themselves heard would be men who could not accept the obligations of church-membership in all their stringency, but who on the essential points of faith were at one with the churches.

There must have been considerations too other than political, which tended to set men thinking about the question of church-membership, and to cause a demand for a change. A Religious objections to the existing system. New England church, while the process of colonization was still at work, was in reality a body of men bound together by earnest spiritual convictions. Each member's best hopes depended on its future; its collective voice represented his inmost feelings. For it he had braved exile; it had stood between him and a life of barbarous solitude. Fitting it might seem that men bound by such a brotherhood should lay bare to one another their inmost feelings and faith. But when the ecclesiastical life of New England had left those heights, when, with the revival of security and ease, secular motives regained their sway, then men would begin vividly to feel the contrast between the theory of church union, with its solemn declaration of saving faith, and the facts of life. Let a shade of conventional usage find its way into such a system, and for the best men it becomes not merely meaningless but repulsive. That side of the question does not indeed show itself in the course of the controversy. The dry technical character of all theological discussion in New England forbade that. But we can scarcely doubt that such feelings, though they may have found no voice, had their weight in forming public opinion.

The question was opened in Connecticut. There political and religious privileges were not associated. Though that may have made the demand for change less eager, it also made the contest less bitter, and inclined men to look upon the first steps towards reform with less jealousy and more fairness. Soon after 1650 a dispute arose in the church at Hartford. The pastor was that Stone who had acted as chaplain to Mason's force in the campaign against the Pequods. He now showed a disposition in some one instance to relax the conditions

¹ There is not, as far as I know, any contemporary account of this dispute. I have relied, therefore, on Trumbull, who deals with it very clearly (vol. I. pp. 297-311). There are entries in the records of Massachusetts and Connecticut which serve as landmarks in the progress of the controversy.

of church-membership. His action was resented by Goodwin, the leading Elder in his church, and others. It was evident that Stone had touched a subject on which men felt strongly. The matter was brought before the General Court. Councils of the various churches in Connecticut were held, but the dispute still raged. There is, unfortunately, no contemporary record extant to tell us the precise nature and form of the dispute. But we can hardly err in trusting a tradition which is borne out by the later course of this discussion. The immediate point at issue was the action of certain persons in the church of Hartford. But the issues which were at once raised went much further. Was an exposition of personal experience and conviction to be required from church-members, or only a declaration of dogmatic faith? Might not the mere fact that a man had once been admitted to some church, or even that he had been a regular supporter of public worship, be enough to insure his admission to any church? Again, was the election of a pastor to be vested only in the communicating members of the church, or in all who contributed to his maintenance?

The government of Connecticut, beset by these difficulties, turned for help to the sister colonies. An address was sent to the synod each of the three General Courts asking for advice.¹ of 1657. The answer from Massachusetts suggested a General Council.² The congregational system had ever been carried out with peculiar rigidity in Newhaven, and the Court of that colony now opposed any deliberation which might lead to change.³ The opinion of Massachusetts prevailed, and in June 1657 a synod met at Boston. The problems laid before it and the conclusions come to are set forth in a succession of propositions.⁴ Precision and clearness of expression were not the strong points of New England divinity, and many of the terms used are technicalities, so familiar in that day as to need no explanation, but to us almost meaningless. Such a question as "Whether a member's child's unfitness for seals disableth not his seed for membership or

¹ Connect. Records, vol. i. p. 281.

² Mass. Records, vol. iv. pt. i. p. 280.

³ Newhaven Records, vol. ii. p. 196.

⁴ These propositions and the answers to them were published as a pamphlet entitled, *A Disputation concerning Church Members and their Children*, 1657. There are copies in the Bodleian Library and the British Museum.

baptism?" sounds like a clumsy translation from some foreign tongue.

It is easier to make out the general purport of the questions laid before the synod than the answers to them. The various suggestions for a change in the constitutive principle of a church which had been floating about in Connecticut had now narrowed themselves to one definite issue. Hitherto baptism had been a privilege reserved for the children of church-members. Such children would at a future day be in a better position for church-membership than the unbaptized. If however they did not avail themselves of that position, but remained outside the church, could they, by virtue of their own baptism, present their children for that ceremony, and thereby place them in the same position which they themselves had enjoyed?

The case may be stated thus: One right, that of church-membership, could only be obtained by actual profession of faith. Another right, that to be baptized, was given by parentage. The second right carried with it a probability of attaining the first. How far should the hereditary principle go? Should it be inextinguishable, or should the second right die out with the possessor unless he renewed it by acquiring the first?

The decision of the synod failed to allay the difficulties which had arisen. A majority of the church at Hartford accepted the views of their pastor, ratified as they now were. But The church at Hartford divided.¹ there were still recalcitrants. A section of the church, including several important men, wished to secede. Stone and those who held with him proceeded to apply congregational discipline to the refractory members. The Court intervened and attempted to reconcile the conflicting parties. Then the matter was referred to arbitrators. Neither party would give way. Stone would not recede from the position that the withdrawing members were violating an agreement with their brethren, that their sin was scandalous and dreadful, and that a synod had no authority to interfere in a question of internal discipline. The principle for which Stone was contending, a more liberal interpretation of the conditions of church-membership, would in the long run break down the oligarchical power of the New En-

¹ Here again we must fall back upon Trumbull.

gland churches. But from the spirit in which Stone fought, and from his lofty assertion of the authority of the individual church, we may well doubt whether he and his followers understood or sympathized with the tendencies of their own action.

Stone's persistence seems to have prevailed. Cullick, one of his most influential opponents, withdrew to Boston, others went to Hadley. But without a formal dismissal they cannot have been admitted to another church. Thus the immediate result was to show that a resolute minister, backed by a majority of his own church, could, even on grounds not universally accepted, inflict on dissentient members of his flock the penalty of excommunication with all its civil incidents.

E The effect of Stone's action was to reveal the existence of two distinct ecclesiastical parties. In Massachusetts the matter was complicated by political issues. The identity of civil with ecclesiastical privileges at once strengthened the resistance and embittered the attack. Cautious men, even if not imbued with an ardent love for the dominion of the churches, might think that any change was perilous when the colony had just escaped from disruption at the hands of Presbyterian malcontents, when it was threatened by an invading horde of Quakers, and when Anglicanism was but newly restored to power, with twenty years of contumely, outrage, and robbery to avenge.

That in spite of these considerations a synod of the Massachusetts churches should at the bidding of the legislature have met at Boston, and should have relaxed the rigor of the ecclesiastical system, shows how strongly the need for some change was felt. The concession made by the synod sounds but slight. Stripped of technicalities it came to this: that persons not actually admitted into communion with a church, but who had been baptized in infancy and were undoubtedly orthodox in belief and upright in life, might bring their children to baptism. The practical value of the concession lay, not in any immediate change that was likely to result, but in the fact that it broke down the hard barrier which fenced in political privileges. If the conditions of church-membership had not been relaxed, one of two things must have happened: either the spiritual unity required would

¹ The order for the meeting of the synod is in the Records (vol. iv. pt. ii. p. 38). Its proceedings are given in full in the *Magnalia* (bk. v. pp. 64-84).

have become a mere form, or the churches would have become odious as embodying the power of a narrow oligarchy. The synod of 1662 did not entirely remove these evils; it did enough to prevent them from becoming intolerable.

The literature of an age cannot always be looked on as furnishing a key to its mental life. There may be times when literature is an exotic, an artificial product in bondage to certain conventional canons of taste. Those authors who claim to represent the nation may in reality be only writing for a small class to which they belong. There is nothing of this in New England. The public literature of New England was indeed in a sense conventional, inasmuch as its range of thought lay within certain rigidly defined limits. The New England theologian might take up his pen because orthodox Puritanism required an advocate or apologist, and could repay his services. But outside that sphere literary ambition had neither temptations nor rewards. There was no leisure to make secular literature attractive, no cultivated audience to make it remunerative. Yet the New Englander of the first generation was filled with an intense conviction of the greatness of his own work, and of the need there was that it should be fitly commemorated.

It was the earnest feeling that there was a tale to be told to posterity, a tale which must be set forth with dignity, and something of solemnity, which inspired the early chroniclers of New England. Such was the spirit in which Bradford and Winthrop wrote. Such too was the spirit of one who was mentally and morally more on a level with the ordinary run of his countrymen, and who therefore is possibly more valuable to us as a representative of their feelings. Captain Edward Johnson may be looked on as a type of the party of which Dudley and Endicott were the leaders. His was not the nervous, self-justifying assurance of a man who has worked himself into subjection to a creed of which he has yet some faint distrust; it was the hearty bigotry of a man to whom a narrow system of dogma has become as natural and as necessary as the air which he breathes. The scope of his book is set forth in the address to the reader more forcibly and plainly than grammatically. "Here thou shalt find the time when, the manner how, the cause why, and the success which it hath pleased the Lord to give to this handful of His praising saints in New England." We are apt to look on Calvinism

as a dry and cold system of thought, incapable of being vivified or brightened by fancy. For the most part that view is a true one. Yet in Johnson's work we see how Calvinism could be assimilated and its ideas and phrases reproduced by a man of impulsive mind and fervid imagination. His work is from first to last a triumphal hymn, breaking at times into meter, and then only losing all vestiges of poetical character. Whether in praise or denunciation he heaps together imagery, at times no doubt florid and inappropriate, yet never trite, seldom wanting in originality, often striking. With all its rhetoric his style proves its reality by the ease with which it can stoop to tell of plain things in plain words with no loss of dignity. Johnson does not deal in the conventional euphemisms of the pulpit. Like a Hebrew prophet he fills in his picture with natural details described in the simplest language. He illustrates "the great and almost miraculous work of the Lord in providing for His people in the barren desert," with a catalogue, somewhat grotesque in its minute details, of the creature comforts which were within reach of a New Englander.¹

The other form of literature indigenous to New England was theology. This falls under two heads, the sermon and the controversial pamphlet. Of neither can we in the present day really judge with fairness. The dialectical controversies of Calvinism are couched in a language to which we have lost the key; their phrases do not for us correspond to anything that really exists in human thought. Yet the seeming dreariness and pedantry of the Puritan controversialists, the apparent waste of detailed labor upon barren technicalities, are not all due to the attitude in which we approach them. We can test that by contrasting the writings of Williams with those of his opponent Cotton. Williams' freshness and ease of expression, the quickness and brightness of his thrusts, his apt use of illustration, give to his controversial writings a certain literary interest apart from their subject.

If one would really know the literary weakness of these controversialists, the complexity and cumbrousness of their style, one has only to turn to the pages of one who in his own day held the first place among them, not indeed as a thinker, but as a writer, Nathaniel Ward. A deprived clergyman

The New
England
theo-
logians.

Nathaniel
Ward.

¹ Bk. ii. ch. 21.

in Essex, he came to Massachusetts in the fourth year of its existence. Weak health soon forced him to resign the pastorate at Agawam, to which he had been appointed, and he became that rather exceptional person in New England, a man of learning and leisure, able and ready to devote himself to any intermittent duties which the colony might lay upon him.

In 1645 he published "*The Simple Cobbler of Agawam*,"¹ a book which has been described as a prose satire upon the license of new opinions.² There is flattery in that description, since satire implies some touch of humor. The book is in fact a cumbrous and pedantic tirade against every taste, fashion, and opinion, hated by one whose power of hating was great. There is no attempt to dissect or analyze errors; beyond a general cry for state interference, there is not a suggestion of any practical reform. Yet as an illustration of the literature of New England the book has no small value. It has served as a magazine for classical phrases illustrative of Puritan intolerance. "It is said that men ought to have liberty of their conscience, that it is persecution to debar them from it; I can rather stand amazed than reply to this; it is an astonishment to think that the brains of men should be parboiled in such impious ignorance. He that is willing to tolerate any religion, or discrepant way of religion, besides his own, unless it be in matters merely indifferent, either doubts of his own or is not sincere in it."

For us the most important fact about Ward's work is the popularity of it. It rapidly ran through four editions. There could be no better proof how fully Puritanism had done its destructive work. Bid the New Englander tell the great things which God had wrought by him and his countrymen, his deep and overpowering faith raised him to noble thoughts, his scriptural learning clothed them in worthy language; bring him down to a lower range, to the sphere of the disputant, the critic, or the essayist, and all sense of grace, of proportion, of humor has vanished.

As with the controversial, so it is with the hortatory side of New England theology. Enough of the sermons of the great New England divines have come down to us to enable us to judge

¹ *The Simple Cobbler* is republished in Force's Collection (vol. iii.).

² This is Mr. Tyler's criticism (vol. i. p. 229). I am sorry to say that I cannot at all agree with Mr. Tyler's high estimate of Ward's literary merits.

of their character. We cannot indeed judge for ourselves of their efficacy for the immediate purpose for which they were composed.

**New Eng-
land theo-
logy.** To us they are simply an exposition of certain fundamental doctrines in a crude form, with a total disregard of all necessary modifications. Man's original sin and the possibilities of salvation are the staple of these discourses. They often contain passages of startling power; there is no lack of dialectical resource, of rhetoric, of illustration. But to us they seem narrow, unsympathetic, above all monotonous. We can no more picture the state of those to whom such discourses were a real delight, often the one delight of life, any more than we can enter into the feelings of the half-educated crowds who flocked to hear Abelard unfold the doctrines of conceptualism. But though we cannot so throw ourselves back into the past as to judge of these sermons as such, we can at least fairly deal with them as embodying the best products of New England divinity. For the sermons of Hooker, of Cotton, and of Shepherd were not mere occasional discourses; they profess over and above to be systematic treatises, contributions to a complete scheme of divinity. And as such we must deem them to be at their best the painful and laborious product of men fettered by a narrow, incomplete, and unsympathetic view of life. How could it be otherwise? The Puritan had almost cut himself off from poetry and art; one link alone bound him to that wide world of human action and character which is revealed to us in history. Even that link was well nigh severed by the Puritan theologian. Read the Bible, not as a continuous record, telling us how a nation in exile and bondage was hardened into unity and upheld by a stubborn faith in one God; how in that faith it grew and throve and conquered; how in wantonness and forgetfulness of its Lord it was stricken down and scattered; cease to regard its chronicles as the lives of struggling and imperfect men of like passions with our own, its prophets as the chorus to that majestic tragedy; deal with it as a magazine of texts which lawyer-like ingenuity may turn to account in the defense of dogmas;—from a Bible thus read what inspiration can spring? Not indeed that the Bible was only this to the New Englander. Many a man, we may be sure, in Mason's little band, when he set forth on that desperate march, thought how the might of Amalek had been humbled in Gibeon, and how Sisera with his nine hundred chariots had been swept away before

the sword of Barak. The human interest of the Hebrew writers, their sublimity of form as well as thought, that charm which our language has so well preserved, and which has more than repaid the debt, find their echo in the New England chroniclers. The direct simplicity, the unstudied pathos of Bradford could have but one origin; if Winthrop and Mason do not as writers rise to that level, their familiarity with a perfect model has saved them from the faintest tinge of vulgarity or triteness. The value of the scriptural training of New England is found in its indirect influence on the writings of her laymen, not in the teaching of those who were its professed expositors.

History and theology may be said practically to exhaust the field of New England literature, at least for the age which we are considering. Verses indeed were written not a few. Verses writing. The sketches of eminent statesmen and divines in the Wonder-working Providence usually end up with a tag of rhyme. The contrast which these creaking couplets and floundering quatrains offer to the rush of Johnson's often too fluent prose shows how painful was the process by which he hewed out these supposed embellishments.

Boston indeed laid claim to a poetess in Anne Bradstreet, the daughter of Dudley and the wife of the statesman who alone among the associates of Winthrop lived to see the original constitution superseded by the charter of William and Mary. But Anne Bradstreet was not a Puritan poetess; she was simply a graceful imitator of Herbert and Withers who lived in New England. The presence of such a one may be looked on as a foreshadowing of the day when Puritanism would be so softened down as to extend a welcome to the arts and ideas which it had once banished. Not indeed that Puritanism ever wholly succeeded in excluding poetry from her domain. *Comus* and *The Pilgrim's Progress* are the best witnesses of her failure. They are not merely written by Puritans; poem and allegory alike are instinct with the spirit of Puritanism, with its familiar ideas, clothed in a measure in its familiar language. There is nothing of that union in Anne Bradstreet's writings. There are in her work features of real poetical merit. There is beauty of thought, both descriptive and meditative; there

¹ Anne Bradstreet's works were published in a collected form in 1807.

is beauty of expression in a certain stateliness and in passages which are artificial without being turgid or complex. There is also abundant proof of her origin and training in the painful and conscientious didacticism of much of her work. There is both poetry and Puritanism in her writings; there is no fusion of the two.

If in Anne Bradstreet the poet on the whole overpowers the Puritan, New England had another popular and eminent verse writer in whom the struggle ended very differently. **Michael Wigglesworth.**¹ Michael Wigglesworth was born in England in the second year of the colony, and was brought to America as a child of seven. He produced three works, each a rhymed treatise on Calvinism. One of them, "The Day of Doom," for many years held its ground as a recognized masterpiece. The title quite adequately describes it. It is a plain, hard, detailed description of the day of judgment and of the punishment of the damned. The whole process is told with no more mystery or reticence than one would look for in a newspaper report of an assize. All the most atrocious consequences of Calvinism are tranquilly accepted and recorded in bald, unimaginative detail. The nearest approach which the work possesses to poetical merit is a mixture of force and fluency in the language and a certain honest reality about the details. It is clear that the writer is not considering how he may make up an effective picture. He has familiarized himself with his whole subject till he has actually seen every incident. This helps one to see how such a creed became enduring. Once a week the New Englander was reminded at great length and in very full detail that very probably he himself, his wife, and his children were predestined to a hopeless eternity of the most appalling torture, and that certainly this would be the lot of a very large proportion of those about him. This was not an article of his creed, implied in its formulas, but for the most part ignored or suppressed in ordinary teaching. It was the cardinal point of the theology of New England, which could never be set forth too emphatically or too often. Wig-

¹ There is not, as far as I can find, any collected edition of Wigglesworth's writings, and one at least of his poems seems to have remained in manuscript till 1870, when it was published in the *Proceedings of the Massachusetts Historical Society*. Considering the character of the poem and its consonance with the religious feeling of New England this is curious. Mr. Tyler deals very fully with Wigglesworth, especially with his chief work, *The Day of Doom*, justly and happily described by the critic as a "blazing and sulphurous poem."

lessness; it is caused by the fact that one of them had before used blasphemous language.¹ Even inanimate things, polluted by some sinful taint, are made the subjects of special interference. The younger Winthrop kept his books, over a thousand, in a room which did duty for a granary. One volume contained the Greek Testament, the Psalms, and the Book of Common Prayer all bound together. The Common Prayer was found eaten of mice, while neither the rest of the volume nor any other book was touched.² It is clear from the manner in which this is told that Winthrop thought it possible that the mice were acting as a divinely appointed commission of expurgation. In such a matter we may be sure that we are doing more than justice to New England Puritanism in taking such an one as Winthrop for its exponent.

At first it might seem as though the men least likely to hold this conception of the divine government would be those trained in the predestinarian theology. How can a preordained course of events be liable to these constant disturbances? Yet practically such a view is an almost inevitable consequence of Calvinism as popularly interpreted and believed. The Calvinism of the study may reconcile the omnipotence of God with the predestined misery of man by the admission that the divine government of the world is a mystery. The Calvinist may fairly claim that, if the situation seems to the feelings of man more appalling and revolting, it does not present greater difficulties to the reason than are involved in any other conception of divine government. But the Calvinism of the pulpit does practically teach men to regard God as an arbitrary Being, while at the same time it teaches them to regard Him as one whose government of the world can be easily understood and interpreted according to human motives and ideas. A belief in special intervention is the inevitable result.

Thus it is that this doctrine has most flourished in the two countries where Calvinism has taken root most deeply and widely, in Scotland in the seventeenth century, in New England in the same age. Yet it is but just to note two differences. In Scotch theology God figures primarily as a correcting and avenging God, both in His general and in His particular dealings with men. The Puritanism of New En-

Calvinistic
conception
of divine
govern-
ment.
Compara-
son of Scot-
land
with New
England.

¹ Winthrop, vol. i. p. 106.

² *Id.* vol. ii. p. 20.

gland, escaped from the house of bondage and triumphant, had cast off something of its gloom; prosperity had infused into it some benignity of temper. If the New Englander was called on by his teachers to tremble at some special act of vengeance against an individual sinner, he was at least as often called on to give thanks for some special act of saving mercy, for the acceptance of some intercessory prayer.

There is yet another difference. Not only did the Scotch Calvinist regard God as peculiarly a God of vengeance, but His vengeance was primarily directed against one class of crimes. Insults to His ordinances, to His Church, and to His priesthood were the sins which specially called forth His wrath; those who had touched His anointed or done His prophets harm were specially marked out for punishment. In New England the criminal singled out was usually the blasphemer, the drunkard, or the unclean man, one who had violated some law which every Christian community would reckon binding.

In connection with this habit of mind two further points may be noticed. It is not fanciful to trace a connection between the

Influence of
theology on
judicial
principles. New Englander's theory of divine justice and government and his theory of human justice and government. In each province fixed laws were perpetually suspended or reversed in order that the criminal might be punished more effectively and more promptly. Each view sprang largely from the same feeling, and that a praiseworthy one, an intense and vivid hatred for sin, a strong sense of its contagiousness. Each erred in forgetting that sin cannot be wholly measured by the outward deed, and also that punishment carries with it indirect consequences. One cannot doubt that the theological conception reacted on the legal. The Puritan deemed that every act of sin was followed by some immediate penalty, not specified, appropriate, nor commensurate; he forgot that God is provoked every day, and that the meet punishment of the sinful act lies at the end of a chain of which the individual sin is a link. He conceived of God as a beneficent but arbitrary Ruler, and he fashioned his own government on that model.

This ready acceptance of deviations from the law of nature had another evil result in the credulity which it begot. If we would see that displayed in full we must turn to a writer of a later generation, to Cotton Mather. It is scarcely an exaggeration to

say that he carries his reader into a world of petty and undignified miracles. An enemy of the faith is setting off to London to lodge an information against Higginson for nonconformity. Cotton Mather. Just as he has got into the saddle he is seized with sudden and mortal sickness.¹ It is a stock incident in a fairy tale for a malignant spirit to take some hasty expression as a seriously expressed wish, and to grant it, to the confusion of the speaker. Such, according to Mather, are the dealings of God with His people. A mother worn by travail hopes she may never have another child. Henceforth she repeatedly miscarries. A father says impatiently that he cares not whether he ever sees his child again. "Through the dispatches of death, he never has seen that child again." A servant declares that he would sooner be in hell than in his master's house. He is "in a strange manner drowned," and the reader is left to infer that his wish was gratified.²

In the same spirit Mather describes the powers of eminent divines and the peculiar form of favor shown them by God. The stories which he tells of Wilson, the pastor of Boston, might have been told by a credulous Indian about a distinguished conjurer.³ An English maid is being carried off by a Pequod in a canoe. The soldiers are, not unnaturally, afraid to fire. Wilson bids them shoot, fearing nothing, since the Lord will direct the bullet. Happily the maid did not fall a victim to Wilson's presumption. Twice, we are told, did Wilson denounce offenders, one an undutiful son, the other a disturber of the peace of the church, warning them that some special judgment would overtake them, and in each case did the victim perish at the hands of the savages. These things are not trifles, not mere blots upon the culture and intelligence of a community. The follies of Cotton Mather bore bitter fruit in the witchcraft trials. His active and speculative credulity led him, a man of kindly temper and sensitive conscience, into a policy of indiscriminating cruelty; the receptive and unquestioning credulity which he had fostered made that policy possible.

It was but natural that this spirit of credulity should increase, and that the weaker and meaner elements in the Puritan creed

¹ *Magnalia*, bk. iii. p. 72.

² All these instances are given in a sermon preached by Cotton Mather at Boston in 1707, and republished by him in the sixth book of the *Magnalia*, appropriately enough entitled *Thaumaturgus*.

³ The life of Wilson forms the third chapter of the third book of the *Magnalia*.

should become prominent, as the original stock of emigrants gave way to their children, the first generation of native New Englanders. We may be sure that a colonist seldom found his way to New England unless he were a man of more than usual energy; that he seldom stayed there unless he were a man of more than usual stubbornness and tenacity. By 1660 but few of the leading men among the original settlers were left. The places of Winthrop and Dudley, of Bradford and Winslow, of Cotton and Hooker, of Haynes and Eaton, knew them no more. A shade of despondency might well come over a New Englander as he contrasted the departed heroes of his country with their successors. The founders were men who had enjoyed the training, many of them the best training, of the Old World. New England, with all its strong public spirit and its genuine zeal for learning, could do little in its early days of struggle and hardship to supply that want.

But, happily for New England, the hold which learning had taken upon her was too firm and too widespread to be lightly lost. Let our sense of the shortcomings of American Puritanism, of its positive crimes, be ever so strong, it should never lead us to forget that, its great merit. There it carried on the best traditions of the Reformation. It never dealt with learning as the privilege of a class. It might silence its opponents; it never sought to deaden or sophisticate the minds of its disciples. Bigoted itself, it so dealt with them as to make like bigotry impossible in the future.

It has been reckoned that by 1638 there were in Massachusetts and Connecticut at least forty men who had been educated, though probably not all had graduated, at Cambridge.¹ Nor was Oxford unrepresented, though the other university naturally preponderated. This was due partly to mere situation, since New England was mainly colonized from the eastern half of the island; partly to the firmer footing which Puritanism had gained in Cambridge.

A community so strongly leavened with the academic element as Massachusetts was not likely to have an inadequate sense of the need of education. In 1636 the General Court voted four

¹ This is the opinion of Mr. Savage (Winthrop, vol. i. p. 265 n). Mr. Savage's familiarity with the details of New England history of this period, especially with the biographical side of it, justifies one in taking his statement as at least approximately correct.

hundred pounds, a sum equal to the whole annual taxation of the colony, towards establishing a college or grammar school.

Establishment of a college. The site was to be at Newton, or, as it was soon afterwards called, Cambridge, a change intended in all likelihood to fit it as a home for the new foundation.¹ The needful arrangements were to be made by a committee consisting of seven magistrates and six ministers.² One is tempted to think that, while the presence of the divines was a guarantee that the theological side of education should be duly considered, the lay majority of one was a deliberate declaration that the place was not to be a clerical seminary.

In the next year the sum granted by the Court was supplemented by the munificence of John Harvard, a graduate of Emmanuel. He bequeathed to the college a sum of seven hundred pounds and his library, two hundred and sixty volumes.

The first recorded incident in the history of the college was not a hopeful one. It was attended, Winthrop tells us, by many **Misconduct of the first Principal.** students, "the sons of gentlemen and others of best note in the country." The head master, Nathaniel Eaton, brother to the Newhaven statesman, was a capable scholar, but in no other way fitted for his post.³ As Cotton Mather puts it, more pithily than is his wont, "he was one fitter to be master of a bridewell than a college." In the autumn of 1639 he was brought before the Court, charged with gross brutality to one of his ushers, and with harshness to his pupils, both in the infliction of chastisement and in the neglect of the comforts, and even the decencies, of life.⁴ Eaton's misconduct was made worse by his sullen contumacy; he was fined a hundred marks, discharged from his office, and declared incapable of holding any like appointment in Massachusetts.

The trial of Eaton shows that there was as yet no body of Governors or Visitors, since, if there had been, the charges would have come before them, at least in the first instance. The col-

¹ Mass. Records, vol. i. p. 183.

² *Ib.* p. 228.

³ *Ib.* p. 217.

⁴ Winthrop gives a very full account of Eaton's trial (vol. i. pp. 308-315).

⁵ The blame rested in part with Eaton's wife. Mr. Savage gives a long extract from her confession on the subject. The students apparently complained that they were forced into the position of the Prodigal Son. "The swine and they had share and share alike." Mrs. Eaton does not explicitly deny this, but pleads that she is "an utter stranger to these things."

College was in fact as yet but a grammar school, under the control of a head master and subsidized by government.

Eaton was succeeded by Henry Dunster. Of his ability and good character there can be no better proof than the fact that for ten years he was suffered to hold a post of the greatest dignity and responsibility, in spite of an avowed tendency to Anabaptist doctrines, which at length led to his resignation.¹

In 1642 the college was placed under the control of a board consisting of the Governor, Deputy-Governor, the Assistants, the ministers of six neighboring towns, and the President. They were also empowered to grant the degree of Bachelor of Arts. No student could matriculate till he could construe and compose Latin, and had an elementary knowledge of the Greek grammar. Classics, Hebrew, and the kindred tongues, geometry, moral philosophy, logic, and natural science all entered into the course of studies. Four years of this course, concluded with certain evidence of proficiency, entitled the student to the degree of Bachelor.²

In 1650 a fuller grant of incorporation was given. The existing body of Governors was retained as a board of visitors, and the College itself was constituted a corporation with a President, four Fellows, and a Bursar. At the same time it was endowed with all the tolls taken at the ferry between Charlestown and Boston.³

The early records of the college are too imperfect to enable us to judge of its actual numbers. But the ecclesiastical annals of New England during the seventeenth century furnish stronger proof of the widespread influence of Harvard than any figures could give. She could claim for her sons nearly all those divines who took so large a part, not only in the literary and scholastic life, but in the politics of the country. If monopoly brought any risk of inertness, that was fully overcome by the existence of a traditionally high standard of learning, and by the eagerness with which the mental activity of New En-

¹ For Dunster's supposed heretical tendencies see *Magnalia* (bk. iv. p. 175). His resignation is in the Massachusetts Records (vol. iii. p. 352).

² *New England's First Fruits*.

³ Mass. Records, vol. iii. p. 195.

gland, at once stimulated and restrained to a narrow channel, threw itself into those few subjects in which it was set free.

Nor were the benefits of Harvard College limited to Massachusetts. Students came to it from the other colonies of New England, and thus it served as an instrument to keep alive the sense of a common spirit and common interests. In 1644 Newhaven acknowledged this debt by voting a contribution of corn.¹

More than one incident in the history of Massachusetts shows a perilous tendency on the part of Boston to swallow up the intellectual life and political activity of the colony. In a certain sense the existence of the college so near the capital as to be virtually attached to it, may have increased this tendency. But if it did so, it more than made amends by turning what might have been an oligarchy of wealth into an oligarchy of intelligence and education. Even greater was its service in spreading abroad an educated clergy, and thus keeping alive that thirst for knowledge and that love and reverence for learning which New England has never lost; which in that day held their ground against the hard struggle for subsistence, which in the present day have held their ground against the more subtle danger of an eager race for wealth and luxury.

The legislature of Massachusetts soon forced all its townships to walk in the footsteps of Boston. In 1647 an order of Court was passed establishing schools of two classes. Every township containing fifty householders was to have an elementary school at which reading and writing should be taught. Every township of a hundred householders was to have a grammar school.² This enactment was copied three years later by Connecticut, with an explanatory addition setting forth that the grammar school was to prepare boys for college.³ In Newhaven a free school was set up in 1641,⁴ and the records show that some years later there was an abortive project on foot for the establishment of a college. The town of Newhaven promised three hundred pounds, and Milford one hundred.⁵ The scheme however fell through; but, perhaps as a result of this proposal, a grammar school was established in 1660, at which Latin, Greek,

¹ Newhaven Records, vol. i. p. 149.

² Connect. Records, vol. i. p. 554.

³ Newhaven Records, vol. ii. p. 141.

⁴ Mass. Records, vol. ii. p. 203.

⁵ Newhaven Records, vol. i. p. 62.

and Hebrew were to be taught.¹ Plymouth lagged behind her confederates as much in intellectual growth as in material prosperity. There was no legal provision for education, nor is there anything to show that the want was supplied by voluntary action.

In Rhode Island public education dated from 1640. In that year the Court of the two island townships voted a hundred acres of land for the payment of a schoolmaster, and a hundred more for the maintenance of a school.² But in a colony land by itself is a sorry endowment, and we cannot wonder that the schoolmaster's stay in the colony was short.³ Whether he was replaced does not appear. Twenty-three years later Providence likewise granted a school the ~~cheap~~ support of a small territorial grant.⁴

At the same time that the government of Massachusetts was protecting the quality of learning by the institution of schools ~~a printing-press and colleges~~ the diffusion of it was secured by the ~~press in~~ introduction of a printing-press. The first measure ~~which~~ ~~indeed seems to have~~ indirectly led the way to the ~~success~~. In 1639 Joseph Glover, a nonconformist clergyman, ~~came from London for Boston, carrying with him a printing-press and all the material~~ ~~needed~~ ~~for~~ a master printer, and three ~~workmen~~. The press ~~intentionally~~ was intended as a gift to the ~~college~~. Glover himself died in the journey, but the printer ~~was~~ ~~he~~ ~~and~~ ~~arrived~~ ~~at~~ ~~his~~ ~~destination~~ ~~and~~ ~~the~~ ~~press~~ ~~was~~ ~~granted~~ ~~three~~ ~~hundred~~ ~~acres~~ ~~as~~ ~~an~~ ~~acknowledgment~~ ~~of~~ ~~his~~ ~~services~~.

The earliest effort of the Cambridge press apparently was to print in 1639 the ~~man~~ required from all freemen.⁵ In the next ~~year~~ the so-called Bay Psalm-book was printed. This ~~was~~ ~~a~~ ~~metrical~~ ~~version~~ ~~of~~ ~~the~~ ~~Psalter~~, separated in ~~library~~ ~~from~~ ~~Serraucini~~ ~~and~~ ~~Hopkins~~ ~~by~~ ~~a~~ ~~gap~~

¹ *Newcomen Records*, vol. i. p. 370.

² *Mr. Arnold*, vol. i. p. 143 quotes this order verbatim. It does not appear to be in the printed records.

³ The departure of the schoolmaster, Lenthall, is referred to in the Records (vol. i. p. 119).

⁴ *Arnold*, vol. i. p. 166.

⁵ A very full account of the establishment of the printing-press at Cambridge is given by James Thomas in his *History of Printing in America*. This was published in 1810. The author was a Boston printer, who himself took an important part in the War of Independence by devoting his printing press to the national cause. At his death he left materials for a new edition of his work with many additions. This was published in 1874, with a preface written by the author, in the fifth and sixth volumes of the *Archæologia Americana*.

⁶ A list of all books printed in the American colonies before the War of Independence is appended to the sixth volume of the *Archæologia*.

about as wide as that which separates Elkanah Settle from Dryden. Almanacs, official documents, and the theses of the Harvard graduates formed for some years the staple matter of the press. Probably its first production which had anything of the nature of an independent work was the "Astronomical Calculations by a Youth," written by Urian Oakes, afterwards among the most distinguished of those who have held the presidency of Harvard. But for some years all writings that made any pretense to literary importance were sent over to England and there printed. The first deviation from this rule seems to have been made in the case of certain controversial pamphlets by the supporters and opponents of the synod in 1662. From that time onward the works of the colonial press rise, though slowly, in importance.

In 1655 the printing establishment at Cambridge was strengthened by a second press, sent out by the Society for the Propagation of the Gospel, and designed specially for the publication of religious works in the Indian language. In 1663 a complete translation of the Bible was produced in quarto. This was soon followed by a translation of Baxter's "Call to the Unconverted," and of a catechism.

One would have supposed that occasional productions such as Winthrop's pamphlets, designed for some immediate political purpose, which would not allow the delay of a journey to England and back, would have been printed at Cambridge. As a matter of fact, however, they seem always to have been distributed in manuscript. This we may well believe was due in part to the slowness of the colonial printers, partly to the narrow area over which such writings had to be spread. The Almanac, which from 1639 was an annual production, was as yet nothing more than a bare calendar, with blank spaces to serve as a diary. With the next generation it took higher rank, and may in fact be looked on as the earliest form of light literature recognized in New England.

To sum up the morality of a community is always a hard task. It is doubly hard in the case of one so remote from us in all its modes of thought and its whole conception of life. In the conventional language of New England writers there is a vein of optimism, and yet along with it a vein of desponding self-abasement. Read Johnson, read any of the early biographies. We are in a world of saints and sages.

General
view of
New
England.

Read the sermons of the leading divines, or the formal proclamation of a day of fasting and humiliation. The sense of sin and of impending punishment seems to cloud the air; we can fancy that we hear the wickedness of the Hebrew people in their day of rebellion reproved by the unheeded voice of their prophets. Thus there is in the latter part of Bradford's history a significant passage in which he discusses the question of the moral condition of New England.¹ He begins with a very general admission and lament. "Marvelous it may be to see and consider how some kinds of wickedness did grow and break forth here." He then describes, but in vague terms, the increase of uncleanness and drunkenness. Yet in the very next page he explains this away by contending that the apparent prevalence of crime is really due to the ubiquitous vigilance of the magistrates, and to the conditions of life in a little community where every man's doings are fully known to his neighbors. One cannot but feel that in the whole passage Bradford is really sorrowing over that almost ideal, and necessarily transient, state of things which he had himself seen, and contrasting the New England of 1642, its sober prosperity and its commonplace virtues, with the little band of strenuous enthusiasts who trod the deck of the Mayflower.

If we turn to external testimony we have to trust to witnesses often actually hostile to Puritanism, at best so far indifferent to it as to feel a certain cynical satisfaction at any deviation from its avowed standard. Lechford is perhaps the best independent witness that we can find. His tastes and sympathies were evidently at one with those of the Puritans, while his total want of enthusiasm and the unsatisfactory results of his own stay in New England are a safeguard against anything utopian in his view. He testifies to the rarity of profane swearing and drunkenness, and his testimony is all the more valuable because he attributes this, not to religious influences, but to the severity of the magistrates and, by a curiously illogical inference, to the prosperity of the country.²

It was not in the spirit of scholastic theologians, but with a real knowledge of the human heart, that they who framed our Church Articles declared that belief in predestination might "thrust men either into desperation or into wretchedness of

¹ Bradford, p. 241.

² Lechford, p. 29.

unclean living." There are grounds for thinking that in New England Calvinism bore the fruits thus imputed to it. In 1660 the legislature of Massachusetts found it needful to check the tendency to suicide by enacting that the bodies of all who died thus should be buried in the common highway. The preamble to the act sets forth the frequency of the offense. This may be only a conventional form, yet one cannot see why the legislature should have taken up the matter unless there was some real increase of that special crime.¹

There is yet another feature in the morality of New England which cannot be ignored, though happily it need not be illustrated in detail. There are in Winthrop, in Bradford, and in Mather not a few recorded instances of gross and hideous crimes of uncleanness. Without a fuller knowledge of criminal records than is possessed by most laymen, it would not be safe to say that New England was worse in this respect than other communities. The really significant point is the manner in which writers of habitually pure and healthy minds deal with the matter. We see in Bradford and Winthrop a strange desire, shared evidently by those about them, to analyze and weigh minutely the precise amount and nature of the guilt involved in acts of impurity. Such passages recall two aspects of mediæval thought. In their minute speculation we see how an exclusively theological training carries with it a spirit of casuistry. Their astounding indifference to all decent reticence reminds us of Damiani in his battle for monkish celibacy. Such writings illustrate, as the attacks of the Reformers on the religious houses illustrate, the tendency of any narrow system of thought to deaden one side of men's moral perceptions.

The Puritanism of New England is wholly wanting in most of those features which usually make a community an attractive study. There is no room for play of character; life is monotonous and one-sided; there is but little of the struggle of opposing and divergent interests. That which gives it a claim on our attention is the very absence of all these things, its rigid unity, the total subordination of individual passions and tastes.

It may seem paradoxical to institute a comparison between the Greek city, with its worship of outward beauty, its life of unstinted physical enjoyment, its fearless reception of new truths,

¹ *Mass. Records*, vol. iv. pt. i. p. 432.

and the Puritan commonwealth, joyless, austere, fenced in on every side by moral and intellectual safeguards. Yet we can perhaps best understand New England by applying some of those political ideas which the Greek state has bequeathed to us. To us the state is an aggregate of classes, each in a measure with its own needs, its own conceptions of life, its own moral standard. Behind this there may be the sense of state unity, resting on historical associations, and on certain broad common interests; but it is only in supreme moments of the nation's career that this comes forth. With the New Englander of the first generation, as with the Greek, the sense of corporate life was ever present. To us speculations about the relation of the perfect man to the perfect state seem wholly abstract; they have no bearing on the facts of life. To Winthrop they would have seemed the very essence of political philosophy. He would fully have accepted the saying, that the citizen in the best state is one who is able and willing to be governed and govern with a view to the life of virtue.¹

This it is which lessens the odiousness of persecution in New England. The heresy of the individual was, if suffered, the corporate sin of the commonwealth. The misbeliever could not be acceptable in the sight of God, and therefore could not be a good or profitable citizen. With all its faults of detail, such a rigid system was in some sort a necessity. The existence of that necessity cannot indeed excuse the men who readily lent themselves as its instruments and went beyond its requirements. It would be the rejection of all morality to say that Winthrop was not unjust to the Antinomians, that Endicott and Norton and Wilson were not men of blood. To say that their acts were the necessity of their situation is mere fatalism. But we may at least say that the misdeeds of these men were the excess of a spirit which was needful for Massachusetts, and that she suffered less from that excess than she would have from the lack of that spirit. In a colony the old traditions and old sanctions have vanished; society is not bound together by that net of self-interest which in an established community goes so far to supplement the restraining force of the law. The place of these must be filled by a rigid morality, at first enforced by the state, and thereby so rooted in custom as to become instinctive. That result was brought about by a dog-

¹ *Politics*, bk. iii. ch. 13. I use the words of Mr. Jowett's translation

matic creed, an exacting morality, and a system of law and administration ever watching and restraining private life. At the same time this was made tolerable, partly by the fact that political power was given and could be revoked by a direct expression of the popular will, partly by the local independence enjoyed by townships and churches.

There are elements in Calvinism which peculiarly fit it to help in bringing about this result. A theory of life which annihilates the human will prepares those who accept it to acquiesce in any system of control, however exacting, which can make good its title to divine authority. Such a poem as Marvell's *Ode to Cromwell* shows how easily Puritanism on its political side might pass into Hobbism.

The history of New England, so far as we have followed it, has shown us the process of restraint, the manufacture, so to speak, of a rigid system of public morality. We shall soon reach a turning-point when the work has to be in a measure undone. Fresh wants, material, intellectual, and spiritual, have to be satisfied; commerce brings with it gradations of wealth, intercourse with the outer world calls out new ideas and new tastes. The difference between the town and the country becomes wider. Men are no longer confined to a little circle, where the actions of each are open to the full view of his neighbors, and where all live under the pressure of an austere and exacting public opinion. To bridge over the gulf which severed the new life from the old, to modify Puritanism and to adapt it to fresh requirements, to secure change without risking disruption or violent reaction, this was the problem which New England had now to solve.

CHAPTER II.

THE RESTORATION IN NEW ENGLAND.

WE now come to the last and most terrible manifestation of that persecuting spirit whose origin and nature we have just been considering. We have seen how, in 1651, the punishment of three hapless Baptists helped to set up a barrier between Massachusetts and Rhode Island. Five years later New England was threatened with an invasion far more alarming to orthodox Puritans. Tidings reached them of a sect, the strangest and wildest perhaps of all that the great turmoil of the Civil War had brought forth, believed by many to have a secret and mysterious connection with Rome,¹ yet defying all civil and ecclesiastical authority, condemning alike the usages of religion and the conventional decencies of social life.

¹ For the formal details of the proceedings against the Quakers I have relied on the Massachusetts Records. The chief witness on the Quaker side of the question is George Burdett, one of the first disciples of Fox, and Humphrey Norton, himself one of the sufferers. In 1661 Bishop wrote a pamphlet entitled *New England judged by the Spirit of the Lord*, in which he set forth the sufferings of his brethren in the Puritan colonies, chiefly in Massachusetts. His book was republished with additions in 1703; my references are to this edition. Humphrey Norton's pamphlet, *New England's Ensign*, is mainly occupied with the sufferings of the writer himself and those who were punished with him. Another Quaker account of the persecutions is *New England a Degenerate Plant*. This appeared in 1659. Sewel's *History of the Quakers*, published in 1722, cannot of course claim to be a contemporary authority. But the writer expressly states in the preface that he had been at work on his book for twenty-five years. He may therefore well have known many of the sufferers, and in all likelihood he had access to private letters of importance and to pamphlets no longer to be found. My references are to the reprint of 1799. Bome's *Sufferings of the Quakers*, published in 1753, is a valuable compilation. The rest of the chapter is almost wholly based on State Papers and on the Colonial Records. There is in the eighth volume of the second series of the *Massachusetts Historical Collection*, a collection of papers made by Thomas Danforth, of considerable value for this period.

² The belief in this connection was very widely spread. Mr. Palfrey (vol. ii. p. 460) points out that in the warrant issued by the Bristol magistrates for the arrest of the first Quakers they are called "persons of the Franciscan order in Rome." There are many other instances to be found in the early tracts against them.

For us in the present day it is scarcely possible to conceive of Quakerism as it presented itself to the eyes of those who saw its rise. We know Quakerism as a creed peculiarly careful of external decorum, with no appetite for theological novelties and no great tolerance of theological eccentricities. Quaker politics may be condemned as narrow, or even somewhat ignoble; no one assuredly would denounce them as, in the ordinary sense of the word, dangerous. Such was not the Quakerism with which Massachusetts was now threatened. Nothing indeed but gross ignorance or worse could have induced men to put forth the charges brought against the early Quakers. The attempt to identify their teaching with Romanism rested seemingly on their attitude to the literal text of Scripture. For the rest, it may safely be said that, however isolated fanatics may have acted or spoken, no charge of criminal or anarchical teaching can be brought against George Fox, or against anyone who spoke with authority as his disciple. There was no undue boastfulness in the words of one who wrote, "This can we say to all the world, we have wronged no man's person or possession, we have used no force nor violence against any man, we have been found in no plots, nor guilty of any sedition; where we have been wronged we have not sought to revenge ourselves, we have not made resistance against authority."¹

That a sect which could make that claim with truth should have been regarded, not merely with disapproval, but with actual loathing, that they should have been not merely punished by process of law, but that the task of extirpating them should have been undertaken with zealous ferocity, seems strange. And it certainly seems at first sight stranger that the Quaker should have found his bitterest enemies in the ranks of dissent. The Anglican might be outraged at hearing the temples of his faith railed upon as "steeple-houses," his priesthood denounced in every market place as servants of Baal and Antichrist. The Puritan, it might be thought, would welcome a new ally in the Quaker. If the New England Puritan had the

¹ These words occur in a declaration presented to the King in 1660, bound up in a volume of Quaker pamphlets in the Bodleian Library. Another Quaker pamphlet of 1659, entitled *A Declaration to all the world of our faith and what we believe who are called Quakers*, contains a very clear and explicit acknowledgment of the necessity for civil authority.

shadow of a right to those claims which have been often made for him, if he had been in truth the enemy of formalism, of a fixed system of dogma and a mechanical system of worship, then it would be so. But he knew his own position better than his modern defenders know it. Many of the charges brought against the new sect were grotesque calumnies, but the ministers and elders of Massachusetts were not misled in reckoning the Quaker as their natural enemy. The Puritan only bore witness against those forms which appealed to the sense of outward beauty and historical associations; Fox and his disciples would sweep away all forms. The religion of New England was more and more becoming a matter of ecclesiastical machinery and of dogma, which might occupy the intellect, but had little influence on the heart and feelings. The chief business of the Quaker was to declare the inefficiency of machinery and the worthlessness of dogma.

Such considerations fully explain the attitude of the orthodox rulers of Massachusetts, but few will hold that they justify it. We can only consider that they do so by assuming that the danger was both real and vital, that a few half-taught enthusiasts could uproot a system which had entwined itself with the individual and corporate life of the community, and that the overthrow or injury of that system was an evil to be averted at all hazards. Those who have studied the controversial writings of Fox and of the first generation of his followers will probably think that there could be little vitality in a system which could be seriously endangered by such attacks.

It can hardly be doubted that a somewhat unwholesome eagerness for martyrdom had a share in guiding the missionary efforts of the first Quakers. They can hardly be said to have taken their place as an aggressive and proselytizing sect before 1650. Within less than twelve years France, Holland, Austria, Hungary, Italy, Malta, and Turkey had all been visited by members of the brotherhood, while one daring missionary had even penetrated to Jerusalem and returned unharmed.¹ The scene of their earliest labors beyond the Atlantic was Barbadoes. Since we hear nothing of any persecution there, they were in all likelihood treated with tolerant contempt.² Thence two of the

¹ Bishop, p. 24. His account of these missionary efforts is very graphic.

² H. Norton (p. 6) specially states that Fisher and Austin came from Barbadoes.

sect sailed to Boston. Both were women, one named Ann Austin, the other that Mary Fisher whose adventures in many lands, carried out with a mixture of practical capacity and reckless confidence, make up one of the strangest chapters in the early history of Quakerdom. Their vessel reached Boston in May 1656. Endicott, then Governor, was absent.¹ His Deputy, Bellingham, at once apprehended the two women, seized their books, and laid the matter before a Council summoned for the occasion. The laws had made no special provision for dealing with Quakers. But, as we have seen, the penal system of Massachusetts never acknowledged the need for any rigid system of tests. In the absence of explicit laws against heresy, the Council at once pronounced the doctrines of the Quakers to be heretical, blasphemous, and devilish. Their books were burnt, the prisoners sentenced to be kept in strict confinement till they could be conveyed away, and the shipmaster who had brought them bound in a security of a hundred pounds to carry them out of the colony.² For fear of their heretical opinions being diffused, it was made penal to have communication with them, and the windows of the prison were boarded up.³ The inhumanity of the rulers did not end there. It might be hard to stir up popular feeling against two helpless members of an almost unknown sect. But there was a charge which, if it could be successfully raised, would at once urge hundreds to clamor for their deaths. The dread of witchcraft was deeply rooted in the minds of the New Englanders. Not a year before a woman of high rank and conspicuous ability, Anne Hibbins, the sister of Bellingham, and the widow of a leading magistrate, had fallen a victim.⁴ The magistrates now sought to raise such a cry against these unhappy prisoners. A search for the marks of a witch was carried out with brutality and insolence,⁵ but the experts professed themselves unsatisfied, and after five weeks' imprisonment the victims were sent back to Barbadoes.⁶ They probably had a narrow escape of worse sufferings, since Endicott on his return to Boston lamented that in his absence the prisoners had been discharged without flogging.⁷ Five years later Fisher made a more venture-

¹ Sewel, vol. I. p. 270.

² Mass. Records, vol. iv. p. 277.

³ Mass. Records, vol. iv. pt. I. p. 269.

⁴ Sewel, vol. I. p. 271.

⁵ Bishop, p. 7.

⁶ Bishop, p. 12; *N. E. Ensign*, p. 7.

⁷ Bishop, p. 10.

some and more successful expedition, reaching Constantinople, and returning unmolested after a courteous reception by the Sultan.¹

Scarcely had Fisher and Austin been shipped off when a vessel arrived from London, bearing eight Quakers, four of each sex. Their treatment was almost identical with that of their predecessors.²

In the meanwhile the Federal Commissioners had taken up the matter. In September 1656 they were in session at Plymouth. There they passed a resolution that some general rules be recommended to each court, to keep out notorious heretics such as Quakers or Ranters.³

Each of the confederated colonies at once acted upon this. The General Court of Massachusetts resolved that any shipmaster who should knowingly bring in Quakers should be fined a hundred pounds, and be bound over to remove them on pain of imprisonment; and that, pending their removal, the Quakers themselves should be imprisoned with hard labor and severely whipped. It was also made penal to import or conceal Quakers' books or to defend the opinions or writings of the Quakers, and any one persisting in the latter offense was to be banished. Any one, even if not a Quaker, who should revile the persons of magistrates or ministers, "as was usual with the Quakers," should be fined five pounds. The law was not merely passed by the Assembly in the ordinary fashion, but was made known by proclamation in the streets of Boston.⁴ At the time that this act was passed the eight Quakers from London were in prison.

The other colonies followed the instructions of the Commissioners with various degrees of severity. Connecticut imposed a fine of five pounds on any town which should entertain Quakers, Ranters, Adamites, or such like notorious heretics, the fine to be repeated for every week during which the offense was continued; the Quakers themselves were to be imprisoned till they could be sent out of the jurisdiction. The

¹ This strange story is told by Bishop (pp. 22-4).

² Bishop, p. 3; Petition of the Quakers to Parliament, p. 2. This petition is undated. A printed copy of it is in the Bodleian Library, bound up in the same volume with *New England a Degenerate Plant*.

³ Acts of Commissioners, vol. II. p. 158.

⁴ Mass. Records, vol. iv. pt. I. p. 277.

same shipmaster who imported them was bound to take them away under a penalty of twenty pounds.¹

Plymouth already had a law, passed in 1655, possibly in anticipation of a Quaker inroad, under which any person who should deny that the Scripture is a rule of life, should receive corporal punishment at the discretion of a magistrate, but without injury to life or limb.² This was supplemented in 1657 by an order prohibiting all public meetings except such as the Court should approve.³ In 1658 it was further enacted that, to enable the government to deal more effectively with the Quakers, a house of correction should be established.⁴ Quaker books were to be seized, a fine of ten pounds was imposed on any one who should bring a Quaker or a Ranter into the colony, and any private person might apprehend a Quaker without a warrant, or seize a horse used by a Quaker.⁵ Newhaven for the present contented itself with a general order that Quakers and heretics of the like sort should be "suppressed and secured."⁶

The difference between Massachusetts and the other colonies in this matter lay, not so much in the temper in which each legislated, as in the persistency with which Massachusetts alone maintained the struggle when its full consequences had become manifest.

One colony held out against the prevailing passion. At their session in 1657 the Federal Commissioners stooped to seek the help of Rhode Island in their work of persecution. **Liberty of Rhode Island.** They sent a letter to the authorities of that colony, signing themselves their loving friends and neighbors, and beseeching them to preserve the whole body of colonies from "such a pest," by banishing and excluding all Quakers, a measure to which "the rule of charity did oblige them."⁷

The rulers of Rhode Island declined to take this view of neighborly duty, and replied in a spirit worthy of their traditions. They had manifestly but little sympathy with the teachings of the Quakers. But they clearly showed that they understood the principles alike of religious freedom and of criminal law better than the divines and statesmen of Boston. "We have," they

¹ Connect. Records, vol. i. p. 283.

² *Id.* p. 177.

³ Newhaven Records, vol. ii. p. 217.

⁴ Acts of Commissioners, vol. ii. p. 180.

⁵ Plymouth Records, vol. xl. p. 64.

⁶ *Id.* p. 120.

⁷ *Id.* p. 205.

said, "no law amongst us whereby to punish any for only declaring by words their minds and understandings concerning the things and ways of God as to salvation and our eternal condition." They pointed out too, as a matter of experience, that where the Quakers were "most of all suffered to declare themselves freely and only opposed by arguments in discourse, there they least of all desire to come." "Surely we find that they delight to be persecuted by civil power, and when they are so gain more adherents by the conceit of their patient sufferings than by consent to their pernicious sayings." Thus they had come to "loathe" Rhode Island as a place where they were "not opposed by the civil authority, but with all patience and meekness suffered to say over these pretended admonitions and revelations." At the same time the magistrates of Rhode Island undertook to prevent disorder, and promised to refer the matter to the General Assembly of the colony.¹

The question was laid before that body, and the freemen of the colony showed themselves no less wise and liberal than their rulers. A letter was sent to Massachusetts promising that any breach of the civil laws should be punished, but standing fast to the principle that men's consciences should be left free.² A year later Massachusetts renewed the application, and strove to enforce it by threatening to cut off the trade of Rhode Island. The Court of that colony thereupon drafted a letter to be laid before the Protector, asking that they might not "be compelled to exercise any civil power over men's consciences so long as human orders be not corrupted nor violated." One passage in the letter shows that the framers of it understood the temper of Massachusetts, alike in its strength and its weakness. The cessation of trade, they say, will be a loss to that colony, "yet for the safeguard of their religion they may seem to neglect themselves in that respect; for what will not men do for their God?"³

Events justified the policy of Rhode Island. In spite of penal legislation rigidly enforced, the invaders continued to pour into Massachusetts. The General Court strove to stem the tide by fresh legislation. The laws against introducing and harboring Quakers were made more stringent,

¹ R. I. Records, vol. i. p. 377. The letter is also given by Hutchinson in an Appendix (vol. i. p. 326).

² "Freedom of different consciences" is the expression used. This letter is in the R. I. Records (vol. i. p. 378).

³ *Ibid.* pp. 395-9.

Further
penal legis-
lation in
Massa-
chusetts.

and the banished Quaker who persisted in returning was subject to the loss of his ears, and for the third offense to the boring of his tongue with a hot iron.¹

In the autumn of 1658 the Federal Commissioners sat at Boston. Their policy was sure to be in some measure influenced by that of the colony in which they met. They were also under the presidency of Endicott, which in itself was almost a guarantee for exceptional severity. The Commissioners passed a resolution with a denunciatory preamble, bringing against the Quakers the accustomed charges of blasphemy and contempt of authority. It went on to recommend to the legislatures of the different colonies that they should make it a capital offense for Quakers to return persistently after sentence of banishment.² It was well for New England that the federal compact gave the Commissioners no power over the internal affairs of each member. Their resolution carried no weight save as a general admonition, and, as such, only Massachusetts acted upon it.

In that colony, it is clear, the suggestion of the Commissioners did not outrun public opinion. Three weeks later twenty-five inhabitants of Boston presented a memorial to the Court, begging that measures might be taken to save the colony from "the spirit of Muncer or John of Leyden," and backing the proposal of the Commissioners for capital punishment.³ They prevailed, but, happily for the good fame of Massachusetts, not without a struggle. The details of the contest have been preserved for us by a Quaker writer whose vehement partisanship need not in this matter discredit his testimony.⁴

If we may believe him, the Assistants and the Deputies were opposed in their views as to the treatment of the sectaries. Twenty years later the politicians of Massachusetts were divided into two well-defined parties. There is no reason however to think that the present contest in any way anticipated that division, or that it was more than a temporary condition, due largely to personal influences. The upper House, as we have seen, con-

¹ Mass. Records, vol. iv. pt. i. p. 309.

² Acts of Commissioners, vol. ii. p. 212.

³ Mr. Palfrey is my authority for this petition (vol. ii. p. 470).

⁴ Bishop, pp. 100-2. I see no motive that he could have for shifting a portion of the blame from the Assistants to the Deputies. The law as finally passed is in the Records (vol. iv. pt. i. p. 346).

sisted mainly of residents in Boston. They would naturally be more amenable to the influence of the Elders and to the guidance of Endicott than would the Deputies, most of whom came from the outlying towns. Accordingly, as might have been expected, the recommendation of the Commissioners first took effect among the Assistants. In October 1658 a bill was proposed in that branch of the legislature for dealing more effectually with the Quakers. The framers of the measure plainly thought that in their previous inflictions of fine, scourgings, and imprisonments they had been muttering charms, where the surgeon's knife was needed. The lesser penalties were left to the discretion of the magistrate. Any Quaker might be apprehended even without a magistrate's warrant, if no magistrate were at hand, and imprisoned without bail. If upon trial he was found guilty of the charge of Quakerism, he was to be banished, if an inhabitant, after the interval of a month's imprisonment, during which time he might retract, otherwise summarily. If any person so banished should persist in returning he was to be put to death.

From the Assistants there was seemingly no opposition. But among the Deputies the battle was a hard-fought one. Of the twenty-six, fifteen were at the outset opposed to the bill. One of them unhappily fell sick, and though he was not absolutely incapable of voting, his opponents were able to keep him in ignorance of the turn which affairs were taking. Two more yielded to pressure. We may be sure that in such a crisis the priesthood of Massachusetts used every instrument of spiritual intimidation known to their order, and one should perhaps rather admire the courage of those who stood fast than condemn the weakness of the seceders. Even as it was the defeated party obtained one trivial concession to justice. In the bill as originally drafted the criminals were to be tried by a county court, consisting, it might be, of three magistrates, and the voice of the majority was to carry sentence. According to the law passed, the criminals were to be tried by a special jury.

Nothing could be gained by going through the painful and monotonous details of the persecution of Quakers in New England. In none of the four confederated colonies did they escape scathless, but only in Massachusetts did their sufferings attain to tragic dignity. In Connecticut it is clear that public opinion was lukewarm.

**Sufferings
of the
Quakers in
Connecti-
cut, New
haven, and
Plymouth.**

This was largely due to the benign influence of the younger Winthrop, an influence gratefully commemorated by those whom it benefited.¹ In Newhaven, where one might have expected that the stubborn orthodoxy of the settlers would have invited and rewarded the quest for martyrdom, the Quakers seem to have done little and suffered little. In Plymouth they worked sedulously, and there, at Sandwich, they seem to have got together the first substantial congregation which they formed in New England. The members were incessantly harassed with fines, and in a few instances Quakers were flogged under the act of 1655.² But it is clear that in Plymouth there was a distinct feeling in their favor among moderate men. A letter is extant from James Cudworth, a magistrate and a man of importance.³ He avows himself no Quaker, but yet plainly thinks that the new-comers had a message to deliver which it would be well for his countrymen to hear. He hints too that the persecution of them was a concession to Massachusetts.⁴

In Massachusetts itself somewhat over thirty Quakers seem to have suffered, down to the time at which the above mentioned enactment was passed.⁵ It was perhaps as a concession to the moderate party that the application of that law was for a while held in abeyance. During 1659 the penalty of banishment was repeatedly inflicted.⁶ An order was also issued supplementing the law which already enforced attendance at worship. That act, passed in 1646, imposed a fine of five shillings on all who should fail to attend public worship.⁷ Certain persons on whom this fine was imposed refused to pay it on the grounds that they had no estate. The Court thereupon sentenced them to be sold as slaves to Barbadoes, Virginia, or "other remote parts."⁸

¹ Bishop, p. 157. Rous, a Quaker quoted by Norton (p. 53), says that in Connecticut most of the magistrates were "more noble" than in the other colonies.

² See the index to the third volume of the Plymouth Records, head "Quakers"; see also the petition to Parliament (p. 5).

³ This letter is given by Bishop, interspersed with many comments, and in a more commodious form by Bease (vol. ii. p. 192).

⁴ He says, with a cumbrous attempt at pleasantry, that the "Plymouth saddle is on the Bay horse." "It is well if in some there be not a desire to be their apes and imitators in all their proceedings on things of this nature."

⁵ I base this calculation on the statements of Bease.

⁶ Mass. Records, vol. iv. pt. i. pp. 367, 371.

⁷ *Id.* vol. ii. p. 178.

⁸ *Id.* vol. iv. pt. i. p. 366.

At length, in the autumn of 1659, the necessity which the rulers of Massachusetts had courted came upon them. In September 1659 four Quakers were banished. One was Mary Dyer, wife of the Secretary of Rhode Island, and in former days the chosen friend and associate of the arch-heretic Mrs. Hutchinson. The tale of the supposed judgment which then overtook her is among the most unedifying manifestations of New England superstition.¹ Two of her companions, William Robinson and Marmaduke Stevenson, betook themselves to Salem, while Dyer, after going home to Rhode Island, came again in less than a month to Boston. There she was soon joined by the others. It is clear from their own letters that they had counted the cost, and that they had neither the hope nor the wish that the law would be lightened for them. Deliberately did those three go to face death, even to invite it, believing that thereby the gospel which they had to preach would be made effectual. If the name of martyr has any meaning, how can we withhold it here?

Years of comparatively petty persecution had not seasoned the rulers of Massachusetts for such a task, and even Endicott seems to have flinched.² One would gladly know what passed in those inner councils at Boston. But of them no record remains, and no Massachusetts chronicler has preserved even a tradition. We can hardly err in two of the characters. We may be sure that Norton poured forth every calumny which misplaced learning could devise, and that Wilson cried loudly for blood, as he had cried in vain fifteen years before for the blood of Gorton and his followers. In truth the battle had been fought and won a year earlier. On the twenty-seventh of October the execution took place.⁴ It is clear that there was enough sympathy with the

¹ Full details of the trials and executions may be found in the Quaker pamphlets, and are confirmed by the Records.

² It was alleged that she brought forth a monster. The description, most loathsome in its details, is one of the very few passages in Winthrop's History which an admirer of the writer could wish away.

³ According to Bishop (p. 120) Endicott at one time urged the Quakers to keep away, and said that he did not desire their death. A little later he very harshly refused to allow Robinson to read a declaration. Bishop also says that Endicott "spoke faintly, as a man whose life was departing from him." His exact age is unknown, but he was probably little short of seventy. Time had in all likelihood still further soured a naturally morose temper and somewhat impaired a strong will.

⁴ Bishop gives a detailed account of the execution (pp. 122-6).

prisoners to be a cause of possible danger. It was not deemed safe to let them address the crowd from the prison windows, and the procession to the gallows left the town by a back street. Dyer was at the last moment reprieved at the prayer of her son, and upon his promise to take her out of the colony. Her two companions were hanged, suffering, as it would seem, with sober dignity, while Wilson stood by railing and striving to silence their last words. The bodies of the prisoners were denied to their friends, and cast uncovered into the pit, where only a sudden downpour of rain saved them from the wolves and foxes.

It may be doubted from the details preserved to us whether Mary Dyer was really conscious at the time of her deliverance, or whether she even consented by implication to abandon her purpose. In any case, if her resolution had failed her in the very face of death, it revived. In the following May, in spite of all that her husband could do, she returned to Boston and was again arrested. Upon her trial she made no defense, but simply avowed that she had come to bear witness against an unjust law. This time her desire for a martyr's death was not hindered.¹ Soon after William Leddra, who had already suffered imprisonment at Boston as a Quaker, was arrested. The magistrates showed by their treatment of him that their purpose was beginning to fail them. The case was clear: Leddra had been already banished upon pain of death, and had returned. Yet he was kept in prison for four months, and then promised his freedom if he would leave the colony. He refused, and shared the fate of Dyer.²

Just before Leddra's execution Wenlock Christison, who had been once banished, returned. After three months' imprisonment he was brought to trial. At length the dogged persistency of the Quakers seemed likely to win its reward. Since the execution of Stephenson and Robinson Quaker missionaries had been neither less zealous nor less successful. It was indeed found practically impossible to enforce the law in its integrity. Those who thrust their way into the colony and made

¹ Bishop, pp. 310-2.

² Sewall, vol. I, p. 461. This writer gives very full details of Leddra's trial and execution, and publishes two letters, one from Leddra himself, another from one Thomas Wilkie, a stranger who chanced to be at Boston at the time of Leddra's execution, and who questioned the proceedings against Leddra not from any special sympathy with Quakers, but on general grounds of fairness.

themselves prominent as preachers had been chosen as victims. Their converts were subjected only to the lesser penalties. Now it was clear that the rulers of Massachusetts must abandon the struggle, or enter unflinchingly on a persistent course of persecution. For that Massachusetts was not prepared. There is no reason to think that the leaders of the orthodox party were wavering. But the intercession of such a man as Winthrop, ready to humiliate himself in his zeal for mercy, could not be without effect.¹ The same cause was strenuously pleaded by Temple, the Proprietor of Nova Scotia, who now offered to remove the Quakers and find a refuge for them at his own cost.² We may be sure too that there was a party comparatively indifferent to the theological aspect of the question, who looked on the Quakers as disturbers of the public peace, and condemned them on the same grounds of expediency on which Winthrop had condemned the Antinomians. Such was the view attributed by a Quaker writer to Denison, the Major-General of the colony. "He should not go about to speak much concerning the error of their judgment." "But they and you," he told the Council, "are not well able to live together, and as the power is in your hands, the strongest must send off."³ To men who looked at the question thus it must have been clear that the time had come for surrender. There were reasons for abandoning the attempt besides the hopelessness of it. Nearly a year before Christison's imprisonment the news of the Restoration had reached Massachusetts. It was known too that the persecuted sect had brought their sufferings before the notice of the King.⁴ The statesmen of New England may not have credited Charles or Clarendon with any special anxiety for the welfare of Quakers. But the right of the colony to exercise any criminal jurisdiction at all was open to question, and any exceptional use of that right was sure to be noticed. In May 1661 the case of Christison came before the Court of Assistants, sitting as a criminal tribunal. For a fortnight the struggle of parties raged. In one of the stormiest debates Endicott, with a gesture of petulant malignity, talked of leaving the colony.⁵ A community where an unorthodox member

¹ "He would beg it on his bare knees" (Bishop, p. 157). ² *Id.* ³ *Id.* p. 106.

⁴ Leverett, the agent for Massachusetts, stated this in a letter written from London, September 13, 1660 (Hutchinson Collection, p. 323).

⁵ This story is told by Sewel (vol. I. p. 470). Beane (vol. II. p. 223) relates Endicott's threat to go home.

was suffered to live was no fit home for him. The Governor so far prevailed that sentence of death was formally passed. At this point the details of the dispute become somewhat obscure. It would seem however as if the battle was won by the Deputies. The General Court met, and a law was passed, not formally abrogating the punishment of death, but altering its conditions.¹ The Quaker was in the first instance to be flogged at the cart's tail from one town to another and banished. If he returned he was to be again flogged till the fourth offense. Then he was to be branded as well as flogged, and a further return was to be a capital crime. At the same time it was left in the power of the Court to remit the penalties altogether after the third flogging. It may be doubted whether an act of the legislature could strictly and formally annul a judgment of the Supreme Court already given. But there could be no question of hanging a man under a law to which a large section of the community had all along been opposed, and which was now formally condemned by the elected representatives of the colony. Christison, with twenty-seven more of his sect who were waiting their trial, were brought forth and banished, two at least with scourging.² There is no record of the proceedings at those meetings where the battle of toleration was fought, nor can we judge how far caution and a well-founded expectation of interference from the home government operated. At the very time that the struggle was raging the brethren of the prisoners had found their way to the foot of the throne, and had won from the facile King a promise of help. How that help was given, and how the rulers of Massachusetts were humbled before their victims, will come before us more fitly later.

In theory the new law only varied the condition of the penalty. But it is clear that it was generally received, not merely as an abolition of the punishment of death for heresy, but as a step towards a complete change of policy towards the Quakers. The penal system was not abandoned, but it was no longer administered with any consistency or vigor.

The treatment of the Quakers has not been without its

¹ Mass. Records, vol. iv. pt. ii. p. 2.

² Mass. Records, vol. iv. pt. ii. p. 24; Besse, vol. ii. p. 223.

apologists in modern times. It is urged that their indecent antics unfitted them for members of a sober, order-loving community. Such a defense hardly needs to be examined. A ranting preacher proclaimed in the streets the coming of the Lord. One woman went about in sackcloth, and another with her face blackened, and congregations were at times disturbed in their worship. The worst outrage was that two young women walked about the streets of Newbury and Salem naked. The police system of Massachusetts must have been strangely in fault if such vagaries could not be checked without a series of political conflicts. And such a defense ill becomes the admirers of Puritanism. We may be sure that every legislator who voted for the death of the Quakers, and every preacher who hounded the civil power on its prey, had been taught to look on Fox's Book of Martyrs as a guide little inferior to the Bible. And among Fox's heroes none are more conspicuous than those Protestants who offered to the mysteries of the Church public insults far grosser than anything charged upon the Quaker.

Yet another plea has been urged. It has been said that the law making it a capital offense for a banished Quaker to return was merely intended to intimidate and not to destroy. That plea may avail some of the Deputies who voted for the original law. But how can it profit Endicott and those who, like him, resisted the repeal of the law when its consequences were made fully manifest?

Fortunately we are able to appeal from the self-appointed champions of Massachusetts to her official apologist. In the autumn of 1659, when the law for punishing Quakers with death was passed, Norton was instructed to draw up a formal declaration, "to manifest the evil of the tenets of the Quakers and danger of their practices."¹ The result was a pamphlet entitled "The Heart of New England rent at the blasphemies of the present generation." This may be taken as the authoritative statement of the manner in which orthodox New Englanders looked at the question. And in no line of it does the writer suggest that the Quakers were troublesome lunatics, to be kept aloof or restrained by a show of force. They are arraigned on two counts. They are blasphemers, and men

¹ Mass. Records, vol. iv. pt. i. p. 348.

who would wholly subvert civil order. The greater part of the book is taken up with a harrowing description of the horrors of Munster and Leyden in the previous century. If this has any application, it means that a score of unarmed fanatics, more than half of them women, would throw Boston into civil war, and introduce polygamy and community of goods. But though this was urged as a plea in defense of what was being done, it may be doubted whether as a motive it had much to do with the policy of Massachusetts. The one act of civil disorder which was habitually pressed against the Quakers was "the hat," their refusal, that is to say, to pay the conventional mark of outward respect to the magistrate. That too seems to have been regarded not so much as a crime in itself, but rather as furnishing the outward and visible mark whereby a Quaker was to be known. Norton's pamphlet shows us plainly enough that Quakerism in itself, the profession, that is to say, of certain religious opinions, was deemed an offense worthy of death, apart from any effect which it might have on a man's conduct in civil matters. "Blasphemies immediate and heresies carried on with an high hand and persisted in are to be suppressed with weapons and punishments." "The bitter root of heresy hath never prevailed where doctrine, catechism, and discipline have been upheld in their purity and vigor." In the same spirit Norton quotes the Levitical precept, "He that blasphemeth the name of the Lord, he shall surely be put to death."¹ We see the same view in a passage preserved from a sermon preached by Chauncy, the President of Harvard. The trial of six Quakers was impending. "Who," Chauncy asked, "would hesitate to kill a wolf because he had not yet worried sheep or lambs?"² Since Quakerism was not yet made a capital crime, we may acquit Chauncy individually of meaning all that his words imply. It is dangerous too to rely on an isolated passage quoted by an opponent. But the saying is thoroughly illustrative of the feelings of orthodox New England, both towards heresy and towards the whole question of criminal jurisdiction.

The really instructive feature in the Quaker persecution is not its success but its final failure. The punishment of Gorton and his followers in 1643, the punishment of the Baptists in 1651

¹ *Heart of New England reviv.*, pp. 48, 53.

² Bishop, p. 85.

had each called out an undercurrent, not perhaps of liberality, but of humanity. That feeling had now reached the surface, and after a hard struggle had won the mastery. The royal edict did but accelerate and give effort to the feeling of an influential party in the colony. A true instinct taught Endicott that the day had passed away for him and for those who thought with him. The power of the priesthood was broken. Public opinion in New England was being transformed, as it was transformed in the mother country. Earnest orthodoxy was slowly learning true tolerance, conventional orthodoxy was lapsing into indifference.

The restoration of the monarchy had no doubt a share in determining the policy of Massachusetts towards the Quakers. That was but an incident in the widespread effect which it produced in the whole body of New England colonies. The adoption of a definite and continuous system of colonial administration dates from the Restoration. From that time till the final separation of the colonies from the mother country the endeavors of the English government to control the administration of Massachusetts and the resistance of that colony form the central points round which the whole history of New England groups itself. The Restoration itself affected every one of the New England colonies, but it affected them mainly through their relation to Massachusetts. The claims of those who had succeeded to Gorges and Mason were maintained in order to control Massachusetts on her northern frontier. We can hardly doubt that the political life of New-haven was annihilated because that colony was a stronghold of Puritan orthodoxy, and, as such, peculiarly amenable to the influence of Massachusetts. It is almost equally certain that Connecticut was aggrandized to detach her from the cause of her parent and yoke-fellow, and that Rhode Island was strengthened as an outpost against Massachusetts. Only Plymouth was too insignificant to be used as a piece in the political game.

As the overthrow of the monarchy had excited no contest in New England, so was its restoration marked by none. The colonists throughout went on the principle of accepting the *de facto* government of England. But it is clear that the news caused uneasiness at Boston. In September 1660 Leverett, then acting as agent for Massachusetts in London, wrote

Change in
the policy
of Mass-
achusetts.

Effect of
the Resto-
ration in
New
England.

Alarming
rumors at
Boston.

to the Governor and the Court warning them of troubles in store.¹ All who had grievances against the powers at Boston, the Quakers, the Baptists, the disfranchised inhabitants, those whose territorial claims had been infringed by the annexation of Maine and New Hampshire, all these were making their grievances heard at court. There were rumors too of a general Governor for New England.

At the receipt of this letter a General Court was summoned, and, as was customary at any time of political danger or difficulty, the Elders were called into council. The vague and unemphatic tone of their advice is perhaps a proof of their waning influence. In general terms they advised submission, but professed themselves incapable of giving any opinion as to the "confusions" of the past, or the language to be now used to the King.²

The result of the deliberations was two addresses, one to the King, the other to the Parliament. The tone of the former makes one feel how much the dignity of New England statesmanship had lost by the death of Winthrop. The restored King is likened to David, though the full appropriateness of Dryden's parallel had yet to be revealed. New England is represented as a "poor Mephibosheth," unable to approach the throne in person. Most of the address consists of general and somewhat fulsome expressions of loyalty. The only part which is more than formal and conventional is the apology for the execution of the Quakers. They were "open capital blasphemers, open seducers from the glorious Trinity." Thus the government was "at last constrained for their own safety to pass a sentence of banishment against them on pain of death, such was their dangerous, impetuous, and desperate turbulency both to religion and to the state."

The address to Parliament substantially added nothing to this, except the plea that the alleged encroachments towards the north had been undertaken at the request of the settlers there. The real fears and designs of the colonists are shown, not by these formal documents, but by their instructions to Leverett.⁴ He is to do his utmost to guard against

¹ The letter is in the Hutchinson Collection (p. 328).

² Hutchinson Collection, p. 332.

³ Both these are in the Mass. Records (vol. iv. pt. i. pp. 450-4). The address to the King is also given in the Hutchinson Collection, and there is a copy among the State Papers.

⁴ Hutchinson Collection, p. 329.

the Quakers being made free of the colony. If the liberties of Massachusetts were threatened, he was to take his stand on the charter. One point in the instructions is worth notice. If any specific charge is brought against the colony, Leverett is to decline to answer it on his own responsibility, and to declare that every such matter must be laid before the General Court. This device for interposing delays was one of the chief weapons of the colonists in their coming disputes with the home government.

To one colony the Restoration brought with it an almost certain prospect of gain. At the very worst Rhode Island could fear Proceedings in Rhode Island. nothing from the Crown which it did not already fear from its neighbors. There was reason to hope that the home government, in the process of crippling and restraining Massachusetts, might befriend the Narragansett settlers. In October, a month before any formal recognition of the King by Massachusetts, he was proclaimed in Rhode Island, and a general holiday declared.¹

The three smaller members of the confederation, feeling perhaps that their loyalty was less open to the question than that of Proceedings in Connecticut and Plymouth. Massachusetts, showed no such alacrity in addressing the King. The first of them to do so was Connecticut. At the beginning of 1661 the General Court sent him a congratulatory address, as respectful, to use no worse term, as that of Massachusetts, but more sober and dignified in tone.² At the same time a petition to the King was drawn up, asking for a charter. A letter written a few months later to Lord Say and Sele, in the name of the colony, shows that this was specially desired as a security against any claims which Fenwick might raise in connection with Saybrook.³

Plymouth formally proclaimed the King in the summer of 1661. No address seems to have been sent, and the omission apparently passed unchallenged. The foundation of the Pilgrim Fathers had become politically a cipher.

If the policy now adopted towards New England had been followed up by the later advisers of Charles, and still more by those of his brother, the whole history of the English colonies might have been different. It was not a policy conspicuous for liber-

¹ R. I. Records, vol. i. p. 432.

² Connect. Records, vol. i. p. 582.

³ The petition for a charter and the letter to Lord Say and Sele are both given by Trumbull in an Appendix (vol. i. pp. 511, 514).

ality or far-sighted wisdom. But it was in the main just and intelligent, showing a clear perception of the objects sought for and a reasonable judgment of the best means for obtaining those objects. The records of the time justify us in attributing that policy to Clarendon, and with his departure from public life it comes to an end.

His aims were to enforce on the New England merchants the Acts of Parliament for the control of the shipping trade, to secure for members of the Church of England civil rights equal to those enjoyed by Nonconformists, and to subordinate the colonial jurisdiction by giving in certain cases a right of appeal to the Crown. On all these points the chief difficulty would lie in dealing with Massachusetts. It was therefore of importance to detach that colony, and to prevent it from organizing any resistance in conjunction with the other members of the confederation.

It would have been strange if the relations between New England and the leaders of the fallen party had not in some way brought the colonies into conflict with the home government. The declarations of the restored King left the extent of his vengeance doubtful. But be his policy one of lenity or severity, there could be little hope for those who had sat in judgment on his father and signed the death-warrant. The same vessel which brought to Boston the news of the proclamation of Charles had on board two of the regicides, Whalley and his son-in-law, Goffe. Both had served as colonels in the Parliamentary army. Whalley had commanded the troops which guarded the King at Hampton, and, if we may believe Clarendon, had made himself hateful to his prisoner, not so much through any deliberate discourtesy as from a harsh and ungracious manner.¹ Not only had Goffe and Whalley sinned beyond pardon in the eyes of royalists, but they must have made enemies among their own party, especially in that section of it which retained some influence under the restored monarchy. The fugitives were near akin to the Protector, and had taken a leading part in the most despotic acts of his government. They too alone had supported Ingoldsby in his attempt to breathe some spirit of resistance into the sluggish temper and helpless mind of Richard Cromwell, but,

¹ Clarendon (vol. iii. p. 76, ed. 1706) says Whalley was "a man of rough and brutal temper, who offered great violence to his nature when he appeared to exercise any civility and good manners."

unlike their associate, they had not made amends by any share in the work of the Restoration, nor were they able to plead with him that their consent to the death-warrant had been wrung from them by force.¹ Though Whalley and Goffe when they left England were in no legal sense criminals nor fugitives from justice, yet they deemed it prudent to embark under feigned names.² But it is clear that, once landed at Boston, they threw off all disguise. They were received in state by the governor and entertained everywhere with honor. Both preached publicly, and Whalley, it is said, openly avowed and defended his share in the King's death.³

In November tidings of the Act of Indemnity reached Massachusetts. That act specially singled out Goffe and Whalley, with **They leave** twenty-eight others and the two yet undetected execu- **Boston.** tioners. On behalf of these no promise, no reservation of any kind was made. In this crisis Endicott showed a degree of caution and discretion somewhat foreign to his character. He summoned a council to deliberate on the treatment of the two fugitives. It is even said that he mooted the propriety of arresting them.⁴ Such a tradition carries improbability on its face. Endicott's faults were great, but they were never those of a time-server. If such a proposal was present to the minds of any, it was frustrated by the flight of the two regicides. It was by this time known in England that they had crossed the Atlantic. In March 1661 an order for their arrest reached Boston.⁵ Endicott thereupon issued a warrant to that end. For doing this without consulting the General Court he was blamed, probably more from sympathy with the refugees than from abstract regard for a constitutional principle.⁶ No doubt there were hot-headed partisans who in such a cause would gladly have defied the King. Years before the stubborn Roundhead who outraged the royal flag before the eyes of a doubting and alarmed crowd would in all likelihood

¹ Clarendon, vol. iii. pp. 659, 660, 727, 763.

² At least I put this construction on the statement made by one Captain Thomas Breedon of whom we shall see more hereafter. In March 1661 he sent a memorial to the Council for Plantations, in which he states that Whalley and Goffe "came to New England under the names Richardson and Stephenson." He goes on to tell how he himself was brought before the Governor for speaking of them disrespectfully. In the interview which followed the Governor, according to Breedon, spoke of them by their real names.

³ Deposition of John Crowne, in *Colonial Papers for 1661*, No. 161.

⁴ Hutchinson (vol. i. p. 215) says, the Governor summoned a court to consult about securing them."

⁵ Mass. Records, vol. iv. pt. II. p. 26.

⁶ Diary of John Hull (*Archæologia Americana*, vol. III. p. 202).

have cast in his lot with them, but age had brought some savor of wisdom.

In May Endicott received a peremptory order to arrest the fugitives and send them to England.¹ He thereupon sent letters Pursuit of the regicides. to the Governors of Connecticut and Newhaven, desiring them to do their utmost for the arrest of Whalley and Goffe. The letters and the warrant for apprehension were entrusted to two messengers, Kellond and Kirk. They were new-comers and royalists.² It has been suggested, in all likelihood with good reason, that these were the grounds on which they were chosen.³ They were sure to fail, while their failure would not be counted to Massachusetts for guilt.

The fugitives passed through Connecticut, but made no stay there,⁴ and then took refuge in Newhaven. There they were received as favorably, though not quite as openly, as in Massachusetts. For a while they were lodged in the house of Davenport. The pursuers first halted in Connecticut. Winthrop, who never lacked the wisdom of the serpent, succeeded in impressing them with a conviction of his zeal for the cause in which they were engaged. Leete, the acting Governor of Newhaven,⁵ was less adroit. He, or those under him, contrived indeed to send Kirk and Kellond on a wild-goose chase to New Netherlands, and gave time for the fugitives to be removed from Davenport's home to a more obscure and safer hiding-place. But Leete's hesitating answers and his unwillingness to take any prompt action clearly betrayed the secret, and called forth from one of the pursuers the prophetic warning "that for their respect to two traitors they would do themselves injury, and possibly ruin themselves and the whole colony of Newhaven."

There was in truth far greater danger to the protectors than to the fugitives. In a country which abounded with natural hiding-places how could two young strangers, with no influence and no local knowledge, hope to arrest men whose safety every inhabi-

¹ The order is published in the *Massachusetts Historical Publications* (3rd series, vol. ii. p. 123).

² Hutchinson (vol. i. p. 215) calls them "young merchants from England, zealous royalists." Their instructions are in the *Colonial Papers*, 1661, May 6.

³ Palfrey, vol. ii. p. 500.

⁴ I have taken this account of the pursuit mainly from the report by Kirk and Kellond in the *Colonial Papers*, 1661, May 29.

⁵ Newman, the elected Governor, was just dead. The editor of the records states that he died on November 18, 1660 (Newhaven Records, vol. ii. p. 384).

tant of the country had at heart? Whalley and Goffe lived on unmolested and seemingly unheeded by the English Government, the elder probably for about fifteen years, the younger somewhat longer. Their hiding-place was almost an open secret, and extant letters plainly show that they kept up free communication with the outer world.¹ Henceforth they bore no part in public life. But the debt of succor due to those among whom they sojourned was not unpaid. Once again was Goffe seen of his brethren, when on a tragic and memorable day the sword of the old Commonwealth man was unsheathed for the people of New England in their sorest need.

Over and above the displeasure of the English government, Newhaven was endangered by the cupidity of a powerful neighbor. In the autumn of 1661 Winthrop sailed for England, carrying with him a second petition for a charter.² The petition defined the extent of the territory for which it asked. The northern boundary was to be the frontier of Massachusetts, the eastern the Narragansett river, and the southern the ocean. The western frontier was somewhat curiously specified. It was to be "in longitude as the line of Massachusetts runneth"; that is to say, it was to end at the point where a line drawn from the southwestern corner of Massachusetts due south would reach the sea. Winthrop's gracious bearing won him favor at court. His interest in natural science, which at a later day enlisted him among the members of the Royal Society, now earned the friendship of an influential class. In February his petition was referred to the Attorney-General,³ and in little more than a fortnight the royal warrant was issued for the preparation of the charter.⁴

On the twenty-third of April the patent of incorporation was issued. It in nowise altered the constitution of the colony, but merely put it on a surer footing. The old system of government by Governor, Assistants, and Deputies was maintained. The boundaries of the colony were fixed according to the suggestions of the petitioners, with one

¹ A number of papers relating to Whalley and Goffe are brought together in the *Mass. Hist. Coll.* (4th series, vol. viii. pp. 122-225). They include Goffe's correspondence with his wife and with other friends in England. As late as 1679 he was receiving letters which show that he took an active interest in English politics. The correspondence is carried on under a feigned name, and partly in cipher.

² *Colonial Papers*, 1662, Feb. 12.

⁴ *Ib.* 1662, Feb. 28.

³ *Ib.*

⁴ *Ib.* April 23.

important amplification. The extent of the colony westward was more fully defined as "from the said Narragansett Bay on the east to the south sea on the west part." If interpreted with strict geographical accuracy this description is meaningless or self-contradictory. The ocean, that is, the Atlantic, was to be the southern boundary. The south sea, that is, the Pacific, was to be the western boundary. Where was the meeting-point?

But, whatever might be the technical interpretation of the charter, there was no room for doubt as to its real import. None of the parties concerned seem ever to have seriously doubted that it was the intention of the English government to incorporate Newhaven with Connecticut. The first formal proceeding in connection with the charter was the reading of it at the meeting of the Federal Commissioners in September 1662. By the bulk of them it was favorably received, but the two representatives of Newhaven inserted in the minutes a marginal comment of disapproval.¹ The internal condition of Newhaven colony furthered the project for annexation. It had been formed, as we have seen, by the union of a number of townships, each of which retained a large share of its original independence. Newhaven was in fact a confederation of towns rather than a state. Such a condition made effective and united resistance impossible.

In October 1662 the charter was read at Hartford.² The process of annexation began in a piecemeal fashion. Southold at once accepted the jurisdiction of Connecticut. In three other townships, Guildford, Stamford, and Greenwich, a minority of the inhabitants did the like. To complete the process the Assembly appointed four Commissioners, Allen, Willis, Stone, and Hooker, who should go to Newhaven and treat about incorporation.³

In October they reached Newhaven and presented their patent, with a letter from their government expressing hope of a "happy and comfortable" union.⁴ It was clear from the outset that these hopes were not to be fulfilled. A town meeting was held, at which Davenport stood out conspicuous in urging resistance. The matter was then referred to the whole body of freemen.

¹ Acts of Commissioners, vol. ii. p. 286.

² Connect. Records, vol. i. p. 384.

³ *Id.* p. 386-8.

⁴ The whole of the proceedings of October 1662 at Newhaven are described in the records of that colony (vol. ii. pp. 467-75).

They came together and authorized the Magistrates and Elders to draw up an answer on behalf of the colony. The tone of that document seemed to tell of a hopeless cause. It denied the construction which Connecticut put upon the charter, but the promise of submission, if it should have been the King's pleasure to unite the colonies, left little vitality in the denial. It also remonstrated with the haste of Connecticut in receiving the various townships, and imputed to this the disorders which had ensued. Such objections to the form of procedure did not foreshadow any very effective opposition to the principle of the measure.

The rulers of Connecticut held on their course with a dogged disregard to these remonstrances. In March 1663 the Deputy-Governor, John Mason, and three others were appointed as a second embassy to Newhaven.¹ They proposed eight heads of union. Each of the Newhaven townships was to return Deputies. Those who already held the office of magistrate were to retain it, and all freemen were to keep their rights. A court of Assistants was to sit yearly at Newhaven, and that town, with Milford, Brainford, and Guildford, was to be a county, with the right of appointing its own magistrates.²

As before, the Court of Newhaven refused to act without special authority from the freemen. They urged besides two new pleas. They had, they said, lodged an appeal with the Crown, and could do nothing while that was pending, and the matter was also one in which the Federal Commissioners had a right to be heard.

To this Connecticut made no answer. But the Court, by the mode of address which they now adopted, assumed that Newhaven had ceased to exist as a whole, and that they could only deal with the various townships of which it was made up.³ In the autumn of 1663 the government of Newhaven showed the first signs of yielding. The matter had been entrusted by the freemen of Newhaven to a committee consisting of the Magistrates and Elders. That body now framed certain articles to serve as the groundwork of a compromise. They proposed that the religious qualification for citizenship should be retained, and that

¹ Connect. Records, vol. I. p. 396.

² These proposals and the answer to them are given in full in the Newhaven Records (vol. II. pp. 475-7).

³ Connect. Records, vol. I. p. 400.

the ecclesiastical system of the colony and the local divisions with their rights of jurisdiction should be all left intact.¹ Of these points there was one only on which Connecticut held out. It was almost certain that the home government would be opposed to the maintenance of a religious test for citizenship, and Connecticut naturally refused to risk any loss of favor. At the same time they proposed a compromise. Church-membership was not to be required from freemen, but they were to produce a certificate from the Deacons and Selectmen of the town stating that they were of a religious carriage and competent estate.

Those who acted for Newhaven still held out, and their resistance met with encouragement in more than one quarter. The King, in a letter written in June 1663, addressed the Governors and Assistants of Massachusetts, Plymouth, Newhaven, and Connecticut.² The King's advisers had doubtless no object in view but the practical one of communicating with the *de facto* authorities in each colony. But it might not unnaturally be taken for an admission of the separate existence of Newhaven. Winthrop too had written a letter which showed that he took a very different view of his handiwork from that held by his fellow-citizens. He stated to Mason that in obtaining the charter he had not intended to meddle with any town or plantation that was settled under any other government, and he begged that, if any injustice had been done by admitting freemen or appointing officers, the acts in question should be revoked. Yet the letter strangely ends with the expression of a hope that the colonies would be peaceably united.³

Of the various views that were put forward the one most wholly untenable was that of Winthrop. It might be said that no mention was made of incorporation, that the very name of Newhaven did not occur in the charter, and that a colony was not to be blotted out by a mere constructive interpretation of a very vague document. Or it might be said that the charter plainly gave certain territory to Connecticut, and that Newhaven was part of that territory. One thing the charter most certainly was not, an instrument for effecting the union of the two colonies by mutual consent.

¹ These proposals and the answer are in the Newhaven Records (vol. II. pp. 491-5).

² *Colonial Papers*, 1662, June 21.

³ The letter is in the *Mass. Hist. Coll.* (5th series, vol. viii. p. 80).

Far more weighty were the arguments urged by the Federal Commissioners. The absorption of one colony by another was a plain violation of the federal compact, both in the letter and the spirit. The third article of the federal compact clearly stated that no two confederates should join in one jurisdiction without consent of the rest. The force of that article was assuredly not weakened by the fact that it was not a willing union, but an enforced absorption. The Commissioners were fully justified when, at the session of 1663, they declared that Connecticut would by insisting on union be infringing the federal constitution.¹

No excuse can be urged for the temper in which Connecticut carried out its policy. The refusal to lay the new charter before the authorities of Newhaven was alike discourteous and unfair.²

But for the actual measure they had the supreme justification of necessity. We may be sure that in the whole transaction Connecticut was but the instrument of the home government. There is indeed no documentary evidence that it was so. But it is impossible that Clarendon could quietly have looked on while so momentous a change was being effected by means of an instrument which he had certainly approved, and in all likelihood had framed, unless that change fell in with his own policy. By accepting the boon Connecticut might hope to save her own liberties, and with them those of Newhaven. By refusing she would have made shipwreck of both.

We can hardly doubt that such arguments slowly won over the rulers of Newhaven. The struggle was protracted and embittered by the folly of some hot-headed partisans of Connecticut, who of their own responsibility declared in favor of that colony, and sought to establish its authority by force in Guildford.³ But in the summer of 1664 the contest drew to a close. The conquest of New Netherlands by the English Crown must have made the citizens of Newhaven feel that a conflict with the royal authority upon questions of boundary might at any time come upon them. In spite of the view taken by the Federal Commissioners, the leading men in Massachusetts counseled Newhaven to yield. The appointment of Commissioners to examine and report the state of New England boded ill for those

¹ Acts of Commissioners, vol. iii. p. 333.

² Connect. Records, vol. i. p. 405.

³ Newhaven Records, vol. ii. pp. 429-36, 454.

who had sheltered the regicides. The best hope of safety lay in a union with the colony which had so signally won the favor of the King.

A few unimportant concessions were granted, and Newhaven gave way. Almost the last act of the independent government was to put forth a full and elaborate statement of their case. They pointed out how Connecticut had over and over again acknowledged those territorial rights which were now declared to be a nullity. They averred that Winthrop had before his departure for England been warned against any intrusion on those limits, and that he had promised that, if union came about, it should be of their free will. They not unfairly charge Connecticut with having, by the reception of Guildford and the other seceding townships, dismembered Newhaven before they treated with it.¹

It is clear that this document was drawn up as a salve to the wounded feelings of Newhaven and a justification of the prolonged resistance, not with any hope of averting the inevitable end. The freemen also, in the spring of 1664, went through the form of electing their officers. But it was plain that all real political life had departed. Of five magistrates appointed two refused to serve, and no business was done important enough to be recorded.² All reasonable men must have felt that union was better than this state of helpless anarchy. Only one township besides Newhaven continued to hold out. Even with them active resistance had come to an end. In December 1664 the citizens of Newhaven went a step further, and appointed a committee to carry out the union.³ In the following April the Assembly of Connecticut formally nominated seven of the citizens of Newhaven as candidates for the magistracy, and passed an act of oblivion as to all proceedings of Newhaven which had been "uncomfortable" to the victorious colony.⁴ One township alone, Brainford, had stood by Newhaven in its resistance. We are carried back in thought to the history of the Greek commonwealths and to the oath of Phocæa, when we read how the whole body of citizens under their minister quitted their home and settled beyond the Delaware, bearing with them their civil and ecclesiastical records.⁵ The union of Connecticut and Newhaven was a step in the process by which the in-

¹ This protest was called *Newhaven's Case Stated*. It is printed in full for the first time in the *Newhaven Records* (vol. ii. p. 517).

² *Id.* p. 551.

³ *Connect. Records*, p. 440.

⁴ *Id.* p. 543.

⁵ *Trumbull*, vol. i. p. 277.

tense feeling of civic independence which marked the townships of New England was overruled to wider ends, yet not wholly uprooted.

The conquest of New Netherlands and the steps by which that province became a proprietary colony, at first connected with the Crown, and at a later stage directly dependent on it, belong to another section of colonial history. Yet it is so bound up with the relations between Connecticut and Newhaven, and with the future attitude of the former colony to the home government, that it cannot be wholly passed over. We have already seen one of its effects in helping on the union of Connecticut and Newhaven. It furthermore led the way to a definite settlement of the southern boundary of Connecticut. It is scarcely conceivable that the government of Connecticut would ever have been willing to yield all claim to Long Island if by doing so they had placed it in the hands of the Dutch. On the other hand, a colony which had just received such conspicuous marks of royal favor, and whose own territorial rights were in a measure dependent on the good-will of the King, was almost forced into an attitude of concession. In 1664 Winthrop with three other representatives of Connecticut met Nicolls, who was acting for the Duke of York, and decided the question of boundary. Connecticut gave up all claim to Long Island. Nicolls, on the other hand, withdrew any pretension which the Dutch might have made to the townships between Greenwich and the Connecticut. A boundary line was accepted by mutual consent, running parallel to the Hudson and twenty miles to the northeast of it.¹

Immunity from Dutch encroachment was not the only advantage which New England gained from the change. The conquest of the Hudson did for New England what the conquest of the Ohio in the next century did more completely for the whole body of colonies. It gave a continuous and defensible frontier against the French in Canada and their Indian allies. In Albany the English had secured the key of the West.

At the same time the conquest of New Netherlands made it almost essential for the English government to bring all the colonies north of Delaware Bay under one administrative system. Thus it was a step, firstly towards provincial, ultimately towards national, unity.

¹ New York Documents, vol. iii. p. 231.

The process of annexation was scarcely complete, when Connecticut in turn became the object of aggression. When the Plymouth Company made preparations for its own extinction by portioning out its territory among the patentees, the whole tract between the Narragansett and Connecticut rivers was granted to the Duke of Hamilton. No attempt had ever been made to act on the grant, and there is no proof that it had ever received the royal sanction. In any case the new charter effectually superseded it. Yet the claim was more than once revived, and the same reckless injustice which granted away half Virginia to Arlington and Culpepper might at any time make the Hamilton title a source of danger.

Newhaven was not the only colony endangered by the Connecticut charter. There might be some doubts as to the interpretation which extended it to the territory of Newhaven. There could be no doubt whatever that it took in that strip of land in Narragansett Bay which had so long served as matter of debate between Massachusetts and Rhode Island.

Rhode Island, fortunately for itself, was in a position to make its voice heard. Clarke had been now for nine years the authorized representative of the colony in England. The Rhode Islanders assumed wisely that their liberties needed some better protection than an instrument granted by the Parliament during the Civil War; and early in 1661 Clarke presented an address to the King petitioning for a charter.¹ His application was favorably heard. But before any formal answer had been received the Connecticut charter was issued, dismembering Rhode Island. Clarke seems at once to have challenged the claim. What passed between the two agents is unrecorded, but it is certain that Clarke succeeded in persuading Winthrop to refer it to five arbitrators. One would gladly know by whom and on what principle the men were chosen to settle a question on which the whole future of Rhode Island was at stake. But not one of the five is a name prominently known in colonial history.²

The territorial dispute before them was complicated by a side

¹ *Colonial Papers*, 1661, Jan. 29.

² Lord Brereton was one of the arbitrators. Pepys describes him as "a very sober, serious, able man" (vol. iii. p. 343, ed. 1854). Brereton was one of the founders of the Royal Society, and as such was probably on good terms with Winthrop.

issue. About 1640 an independent settler, Richard Smith, had established a trading house in the Narragansett country.¹ He himself seems to have steered clear of the disputes in which so many of his neighbors were entangled. Another like venture was now made in the same neighborhood, in which Smith also had a share. A body, called from its chief promoter the Atherton Company, acquired from the Indians three tracts of land, two by direct purchase, the third by a more questionable process. The Federal Commissioners imposed a heavy fine on the Narragansett Indians. To raise the amount required the Indians mortgaged their land to the Atherton Company. The time named in the bond expired, and the Company foreclosed.² The country thus acquired had always been coveted by Massachusetts. It was, roughly speaking, a parallelogram with Cape Judith for its north-east corner, with a seaboard of about twenty miles, and extending some thirty miles inland. By the acquisition of this territory Massachusetts would effectually hem in Rhode Island on the one side where her borders were as yet unoccupied. Atherton himself was a Massachusetts man, as were also three of his six associates. Winthrop also was a partner, and the two others were the Smiths, father and son, who seemed hitherto to have occupied the position of independent squatters. Previous to the Connecticut charter of 1662 there was no recognized legal instrument which defined the boundary between that colony and Rhode Island. The debatable ground, as we may call it, was that now purchased by the Atherton Company. Constituted as that company was, it was almost certain that the members would choose to belong to Connecticut rather than Rhode Island. Rhode Island, on the other hand, was not inclined to yield the point without a struggle, and in the autumn of 1660 the legislature appointed a committee to treat with the

¹ The earliest statement that I can find of Smith's settlement is in a certificate in the *Col Papers* (1679, July 21), signed by John Green. This sets forth that Smith had by consent of the Indians settled in the Narragansett country more than forty years before. There is in the fifth volume of the first series of the *Massachusetts Historical Collection* (pp. 216-20) an undated document, written by Francis Brinley, of Rhode Island, in which an account is given of the various settlements in the Narragansett country. This distinctly states that Smith's settlement was formed in 1641. Brinley was in some sort of partnership either with Smith or Smith's son, and so should be a trustworthy authority.

² For these three purchases see Potter's *History of Narragansett*, in the *Rhode Island Historical Collection* (vol. iii. pp. 58-61); the Report of the Commissioners in 1683; *Mass. Hist. Coll.*, 1st series, vol. v. pp. 235-43; and Brinley as above.

Atherton Company.¹ At the same time it resolved that if the members of the company refused to treat with this committee or to be bound by its decision, they should not be suffered to occupy the land purchased. This negotiation failed, and the position of the Atherton Company formed one of the points referred to Brereton and his fellow-arbitrators.

Their decision on the whole question was favorable to Rhode Island, though the form which it took was ill fitted to bring about a lasting settlement. They ruled that, in order to bring the new Connecticut charter into conformity with the demands of Rhode Island, the words "Narragansett river" should be interpreted to mean the Pawcatuck river. At the same time they decided that the Atherton Company should choose for itself to which of the two colonies it should belong. Thus Connecticut might at any time come into possession of a slice of territory within the limits of Rhode Island. The arbitrators had defined the boundary in ambiguous language, and afterwards introduced a clause which was almost certain to give rise to a dispute.

The award was formally embodied in an agreement in April 1663.² Three months later Clarke effected the other, and more weighty, part of his mission, the procuring of a royal charter.³ It incorporated the freemen of the company, and authorized them to elect a Governor, Assistants, and Deputies. The charter was somewhat more detailed than that of Connecticut, since it specified, not only the form of government and the number and time of its annual meetings, but also the number of Deputies to be allowed to each town: to Newport not more than six, to Providence, Portsmouth, and Warwick four each, and to the other towns two each. The boundaries were laid down with far more exactness than those of Connecticut. The Pawcatuck river was to be the limit on the west. The line of that river was to be carried on due north till it reached Massachusetts. On the other sides, the bounds of the colony were to be Massachusetts, Plymouth, and the sea. It was but natural that the people of Connecticut should be indignant. Their charter had definitely assigned certain bounds to their colony. Their agent by a private arrangement had accepted an avowedly

¹ R. I. Records, vol. i. p. 435.

² *Colonial Papers*, 1663, April 7.

³ The charter is among the *Colonial Papers* (1663, July 8).

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arbitrary interpretation of an all-important clause. The vigorous mind and strong will of Clarke had triumphed over the pliant temper of Winthrop.

The other important clause in the award of the five arbitrators had also been confirmed by the Crown in a special instrument.

~~Royal~~ ~~mandate~~ ~~in favor~~ ~~of the~~ ~~discretion~~ ~~Company~~ The Atherton Company had now been enlarged. Two at least of the new members, there is good reason to think, were among those who were treading the basest path to court favor.¹ In June, about three weeks before the formal grant of the Rhode Island charter, the King issued a ~~mandate~~ to the Governors and Assistants of the four ~~colonial~~ ~~colonies~~ setting forth that the proprietors of the Narragansett country, enumerated in name, were being molested by "unparliamentary and arbitrary forms" in Providence, and recommending them to the royal governments.² If it had been the duty of the Crown to convert the Narragansett country into a ~~colony~~ ~~of settlement~~ ~~within~~ it could not have done it more effectively. Connecticut, Rhode Island, the Atherton Company, and the ~~Marble~~ ~~of~~ ~~Hamilton~~ could each show some sort of title, and each of the four ~~colonies~~ ~~might~~ ~~at least~~ might plead that the Crown had recognized their rights.

Meanwhile the storm clouds were gathering around Massachusetts. The traditions of life there had changed, and changed in ~~London~~ ~~a~~ ~~manner~~ ~~perilous~~ ~~to~~ ~~the~~ ~~colony~~. In 1635 the liberties of ~~the~~ ~~colony~~ had been threatened from without, but she was at least sure to present a united front to an assailant. In those days nearly all the wealth and nearly all the wisdom in the colony was enlisted on the side of the dominant oligarchy. That was all changed. Boston was no longer a homely Puritan village but a thriving seaport. Traders from Barbadoes and adventurers from England found their way thither. Merchants standing beside the religious, and therefore the political, life of the colony had business houses there. There was no lack of men to play the part acted in a former generation by Morton and Gardiner. Such was Thomas Breedon, who was the first to give notice of the presence of the regicides, who strove to persuade the Council for Plantations that two-thirds of the soldiers in Boston were without

¹ The two first names on the list on the instrument mentioned just below are Thomas Chiffinch and John Scott. Scott will come before us again. His character makes it likely that his associate Chiffinch was identical with the court pander of that name.

² *Col. Papers*, i 163, June 21.

any political rights, and that a large section of the colony wished to throw off the yoke of England altogether, and who would fain have made ill blood by raking up or inventing a story about an attempted arrest in the days of the Commonwealth of some one who was mistaken for Charles the Second.¹ A still worse specimen of the class was Scott, who had found his way into the Atherton Company, and who a few years later was sending home reports to England in which the Principal of Harvard was described as a Presbyterian Anabaptist, while the disturbances of 1637 were set down to the conduct of Vane, who had come out with two mistresses, Mrs. Hutchinson and Mrs. Dyer.² Just as in the latter days of the Virginia Company, every one who had a private grievance served to swell the cry of discontent. We find a company of iron-workers whose schemes had failed and whose goods had been seized for debt, clamoring for relief.³ We find one of their agents, Gifford, seeking to persuade the government that by twenty years' experience of New England he had got knowledge of silver and precious stones, and that the money subscribed for the conversion of the Indians had much better be devoted to the search for mines.⁴ Along with these there were the legitimate grievances of Quakers, of disfranchised Presbyterians, like Childe, and of those who had suffered from the high-handed dealings of Massachusetts with her neighbors to the north. We can hardly blame these if they now seized the opportunity not merely of safety, but of revenge.

The general result of all these attacks may be seen in a report from the Council of Plantations. It sets forth that the people of New England have strayed into many enormities, and invaded the rights of their neighbors; that they have imposed restraints in matters of conscience and worship; that they evade the payment

¹ Breedon's report is in the *Colonial Papers*, 1661, March 11.

² This marvelous string of lies appears to have been given orally to Sir Josiah Williamson. It is in the *Colonial Papers*, undated, and endorsed in Williamson's hand "From Major Scott's mouth." See Mr. Sainsbury's Calendar for 1667 (p. 532). Williamson seems to have had a passion for collecting notes about the colonies, with no very great regard either to method or evidence. Scott was evidently a most disreputable scoundrel. There is among the Rawlinson manuscripts in the Bodleian Library (A. 175) a collection of letters and depositions setting forth very fully his villainies in America, in England, and in the Netherlands. Nicolls, in his official career in America, saw a good deal of Scott. He describes Scott as a man "born to mischief," and ready to betray the colonists or the home government with equal readiness. Willoughby, the Governor of Barbadoes, warns Williamson not to take all that Scott says for gospel.

³ *Col. Papers* for 1661, No. 50.

⁴ *Id.* Nos. 76, 78.

of customs: that their trade is so conducted as to be of no profit to England: that by their increased production of wool they have improved the English of the Dutch market: finally, that their agent in England disclaims any further power, and that consequently it is impossible to get any information. At the same time they express a hope that nothing will be done against the colonists till they have been heard in their own defense. This illustrates the fairness which at this stage distinguished the official proceedings towards New England:

The behavior of Endicott as to the regicides showed that the rulers of Massachusetts understood the nature of their danger and the need for caution. The same temper was shown in other ways. A book written by Eliot, the apostle of the Indians, which set forth some of those crude and fanciful speculations, half political and religious, of which the time was so prolific, was suppressed by the exposture and formally disavowed by the writer. The Governor was given great powers to enable him to enforce the Navigation Act. In August the King was formally proclaimed: at the same time it was taken that loyalty should not now rest in a firm recognition of British usage. An order of Council was issued prohibiting any persons to drink the King's health, and the constitutional doctrine of the royal pleasure was pressed to the very extreme in a declaration that such a proceeding was "special" and "unlawful" in the King. An address was sent to the King through never sent, announcing in tone, and referring to "His Majesty" as an "assentment" of "Sovereign" acted by impulse.

There were now men many in Boston to whom such considerations seemed unimportant. But whose will was in store. In November, 1689, the regicides brought their grievances before the King in the form of a petition, and succeeded in getting the matter referred to the Council for Proprietors. The oppressed regicides were not now a weak and ineffective advocate. The regicides were now men of great power and self-determination which made them a power among men, and their dignity reflected in his address. Thus over the revolutionary passages, the tangled

1. *Mass. Hist. Soc. Rep.* 1887.

2. *Mass. Hist. Soc. Rep.* 1887, p. 10. The summary of proclamation is described by

3. *Mass. Hist. Soc. Rep.* 1887.

4. *Mass. Hist. Soc. Rep.* 1887, p. 10.

5. *Mass. Hist. Soc. Rep.* 1887.

rhetoric of the rest conceals only the repetition of a few moral truths, so generally stated as to be little more than truisms.

In Edward Burroughs Quakerism had a literary champion of a widely different stamp. His views may be as narrow as those of Fox, but he far excels Fox in his power of exposition and illustration. He is an adroit controversialist, can see his opponent's weak points and hit them hard, yet he never sinks into scurrility or mere railing. In his repeated appeals on behalf of his persecuted brethren to the Protector, and afterwards to the King, there is a conspicuous union of fearlessness and courtesy.¹

He now stood forth to plead against the rulers of Massachusetts. He brushes away the flimsy and dishonest excuse that the Quakers were dealt with, not as heretics, but as enemies to civil order. "Did ever these poor people whom they condemned and put to a shameful death lift up a hand against them or appear in any turbulent gesture towards them? Were they ever found with any carnal weapon about them, or what was their crime, saving that they warned sinners to repent and the ungodly to turn from their way?" What too, he asks, is to be thought of men who are now loud in their profession of loyalty, but who lately were writing that there was more danger in the Quakers to overcome and trouble England than in the King of Scots and all the Popish Princes in Germany? Bishop's defense of his brethren and denunciation of the New Englanders appeared during the same year, a work, like most of the early Quaker pamphlets, clumsy and disproportionate, yet kindled at times into true eloquence by the divine fire of righteous wrath. Quaker tradition says that the King read Bishop's book with the comment, "Lo, these are my good subjects of New England!" It is said too that Burroughs himself obtained a hearing and gained a promise of speedy help.² The result of their complaints was a letter from the King to Endicott and the other New England governors, ordering them to suspend further proceedings against the Quakers, and if any were still in prison waiting trial, to send them to England.³ This claim to override the local tribunals, and above all to transfer criminals to England for trial, was often made, and always stoutly resisted by Massachusetts.

¹ Burroughs' writings were published in a collected form in 1672. The appeal to the King to which I refer below is at p. 756.

² I can find no authority for this earlier than Sewel (vol. i. p. 473).

³ *Col. Papers*, 1661, Sept. 9.

Inasmuch as the Court of Massachusetts had already changed its policy toward the Quakers, it is clear that they were moved by the dread of royal interposition, and not by that interposition itself. But no circumstance was spared to make the defeat complete and humiliating. The King's letter was entrusted to Shattock, a Quaker, who had been scourged and twice banished from Massachusetts. If Shattock may be believed, he was hailed as a messenger of deliverance, not only by the oppressed Quakers, but by "the moderate sort." Endicott received the letter at Shattock's hands; a General Court was summoned, and the King's instructions were in part carried out by the order issued shortly after for the release of all Quaker prisoners.¹

In this matter, as in that of the regicides, the rulers of Massachusetts showed a prudent anxiety to avoid needless and unprofitable conflict. Yet it is to be noticed that in the really important constitutional point, the transfer of the prisoners for trial to England, they yielded nothing. The same spirit had already shown itself in another way. In June a committee was appointed to "consider and debate" concerning the patent, the laws, privileges, and duty to the King. It was in fact to formulate and declare the constitution of Massachusetts at a time when that constitution was likely to be assailed. The task called for all the statecraft which the colony had at its command. The list of names reminds one somewhat sadly how the founders of the colony, the men who had stood by Winthrop and Dudley in the early days of toil and anxiety, had passed away. Two only of that generation are to be found on the list: Bradstreet, hitherto comparatively obscure among men of energy and strong character, but brought into prominence amid a weaker race by patient caution and sober judgment, and Johnson, better known by soldierly actions and equally soldierly writing than by any political achievements. With them were joined Symonds, Denison, and Hathorne, all men of mark in a somewhat younger generation; while the rising statesmen of Massachusetts were represented by Thomas Danforth, for the next twenty years the Pym of Massachusetts politics. Four were taken from the ministry: Norton, Richard Mather, the minister of

¹ Shattock's arrival and his reception are described by him in a letter written by him to his brethren in England, p. 160 of the Aspinwall Papers. This is a very miscellaneous collection from the ninth volume of the fourth series of the *Mass. Hist. Coll.*

Dorchester, who, now that Cotton, Hooker, and Shepherd were no more, stood out as the foremost pulpit orator of New England, Thomas Cobbett, a prolific writer on divinity, whose works have not enjoyed even such immortality as that granted to some of his New England contemporaries, and Jonathan Mitchell, of Cambridge, the one man of the younger generation whose learning and eloquence seemed to raise him in the eyes of his fellows to the level of their departed heroes.

The result of their labors was a report which was formally approved by the Court.¹ It fell under two heads, one setting forth the liberties of the colonists, the other their obligations to the Crown. The former began by declaring that the patent was the foundation of the civil polity of the colony. Thence step by step the government as it existed was derived. The Governor and Company were a body politic. They had power to make freemen, and those in turn to appoint officers. The report also claimed for the government full legislative and executive power over all people within the colony, with no appeal except where their enactments might be at variance with the laws of England. It claimed too the right of defense against all persons who should attempt the destruction or annoyance of the colony. Finally, it declared "any imposition prejudicial to the country, contrary to any just laws of ours not repugnant to the laws of England, to be an infringement of our right."

It then set forth the nature and extent of the allegiance due to the King. The colonial government was bound to guard the territory of the colony, to protect the King's person, to punish crime and encourage the Protestant religion. The right of petition was then claimed by declaring that "it may well stand with the loyalty and obedience of such subjects to plead with their princes against all such as shall endeavor the violation of their privileges." With some idea probably of giving a conciliatory appearance to the document two clauses were added: one that the warrant against the regicides ought to be diligently and faithfully executed; the other, that in future fugitives from civil justice of the state of England should not be sheltered.

The document as a whole seems to carry us forward a century. The colonists who petitioned against the Stamp Act and the Tea

¹ The report is in the Records (vol. iv. pt. ii. p. 25).

Tax had nothing to take away from the political creed of their forefathers, and nothing to add to it.

The resolution of the Council for Plantations clearly implied that Massachusetts was to have a hearing. There is no evidence ^{Agents sent to England.} that the resolution had been formally communicated to Massachusetts. But it is almost certain that the substance of it must have been known in the colony, and the proposal to send an agency to England was in all likelihood made in conformity with it. The proposal found no favor with Endicott or Bellingham.¹ But in spite of their opposition it was carried. Bradstreet and Norton were appointed, and in neither case was the choice a happy one. The best that can be said of Bradstreet is that he served as a fecundus furens-head to a party of timid counsels and somewhat ignominious aims, and that in dangerous times he contrived to avoid responsibility without incurring blame for any special act of cowardice or duplicity. Norton has already come before us more than once. Often prominent, he never contributed anything to the formation of public opinion, but was ever ready to be the mouthpiece of its wildest utterances. The unworthiness of such representatives must have been brought into full relief by the conspicuous ability and distinction of the other colonial agents, *Carver and Winthrop*.

The task of instructing the agents was assigned to a committee, whose proceedings are very fully recorded.² A tone of uncertainty and misgiving runs through them. The opposition of the Governor and Deputy-Governor to the whole procedure evidently weighed with the committee, and the general question whether it sent an agency at all is more than once raised by the agents themselves. Their energies were overcome, as were also several difficulties caused by Norton's ill health, and they were sent off without much of a petition to the King, such documents from the public records as were needful for their case, a letter of recommendation to Lord Say and Sele, and three letters from the Council. Their instructions were to answer all demands against the colony, and to endeavor to secure all the rights and privileges it present enjoyed. There is a certain ~~note of distrust in the order that they shall not engage the colony~~ ^{in any act which may be prejudicial to its present standing ac-}

¹ This is positively stated by Hutchinson in a note (*Hutch. Papers*, p. 369).

² They occupy nearly thirty pages of the Hutchinson Collection (pp. 346-71).

according to the patent, and that they shall send home a speedy and constant account of their proceedings.

The agents were accompanied by Hull, the Master of the Mint.¹ The coining of money was one of the acts of the Massachusetts government which was called in question in England as an infringement of the royal prerogative.² The colonists had a friend at court in Sir Thomas Temple. There were points of likeness between his position and that of Gorges. Each was a colonial proprietor dependent on royal favor, standing wholly outside Massachusetts, yet necessarily having dealings with her. In 1656 Temple acquired the proprietorship of Nova Scotia by a purchase from De la Tour.³ He had, according to his own account, been a special favorite with the late King.⁴ Nevertheless he kept at least the good-will of Cromwell. In 1662 he was appointed Governor of Nova Scotia by an instrument which also confirmed his proprietary rights.⁵ It is unlikely that he had any leanings towards the political or religious views of the Puritan colony. But his patent, unlike that of Gorges, did not involve any territorial dispute with Massachusetts, while on the other hand he had a common interest with the colonists in checking any encroachments by the French settlers in Canada.

According to a current story, Temple now averted the King's indignation in the matter of the coinage by explaining that the tree on the Massachusetts shillings was the royal oak.⁶ The agents may have thought this defense would hardly be taken as finally satisfactory, and that it would be well for the Master of the Mint to give an explanation in person.

¹ Hull's Diary, p. 205.

² It is one of the irrelevant charges brought by Mason and those who acted with him against Massachusetts.

³ Temple's claim to Nova Scotia is stated in a report by a committee of the Privy Council appointed to consider the matter (*Col. Papers*, 1661, June 17). See also a statement of his case, Aug. 20, 1660, and a petition (p. 496) in Mr. Sainsbury's Calendar from 1587-1660.

⁴ This is stated by Temple in a letter to Povey prefixed to the above petition in the *Colonial Papers*.

⁵ *Col. Papers*, 1662, July 10.

⁶ Crosby's *Early Coins*, pp. 49, 75. It has been generally supposed that the tree on the coin was in reality a pine, and that Temple's explanation was an impudent invention. But Mr. Crosby shows that the pine was adopted somewhat later, and that in all likelihood the coin really had an oak on it. At the same time it is most unlikely that Temple really expected the King to believe that the emblem had been adopted in loyal commemoration of Boscobel. It is far more probable that he relied on the good effect of a joke. Mr. Crosby thinks this cannot have been so, since the King "was in no mood to be trifled with." When was that arch-trifler in any other mood? Temple was a kindly and in the main probably an upright man, but his letters show him to have been something of a time-server.

The stay of the agents in England was but short. Before the year was out they returned to Boston, bringing with them a letter from the King.¹ It confirmed the charter and gave an indemnity for all acts committed under the Commonwealth. This however was not to extend to persons attainted for treason. To the Quakers the letter must have brought home the doctrine, "But not your trust in princes." Their "principles being inconsistent with any kind of government, we have found it necessary by the advice of our Parliament here to make a short law against them, and are content you should do the like."

Other clauses of the letter were less acceptable. The path of allegiance was to be administered as provided in the charter. Legal proceedings were to be in the King's name. Informations were given that would be injurious to the political and the ecclesiastical condition of the colony. All public officers were to be sworn to the Protestant religion and without reference to any opinion and profession. The privilege was to be granted to a representative conference which had given life and orthodox teaching to the church, and which retained the governing church government. The members of which might be withheld from the land for certain offences by the Anglican.

Many of those who held that these innovations were fair and necessary. There was a management of provisions of the charter to interference with the course of justice, no assertion of any right to tax. Yet would it have been of English statesmen and have gone beyond the limits of interference here laid down. But though the innovations left the liberties of the colony unimpaired, they struck a deathblow at the privileges of an order, and the Puritan oligarchy was found in its decay. "There were many who would not stick to say that Mr. Norton had laid the foundation of ruin to all our liberties."² He was in good truth the servant of a tyrant, and shared the usual fate of such servants. His memory wiped out the memory of his deeds of too common interference. His death in less than a year was set down as a just stroke by indignation.³ The Quakers may be pardoned if they saw in it the direct vengeance of God on an oppressor.⁴

¹ For the letter see *Col. Papers*, edn. June 2d.

² *Magazine*, ix. ii. p. 34.

³ *Blackstone*, p. 203.

⁴ *History*, pp. 246, 247.

It was certain that the Restoration would be the signal for an attack upon those northern acquisitions which Massachusetts had made under the Commonwealth. In November 1660, before the Council for Plantations had been created, all those whose territorial rights had been invaded, Edward Godfrey, Ferdinando, the grandson and representative of Gorges, Robert Mason, who had succeeded in like manner to the proprietary claim over New Hampshire, Edward Rigby, and others, lodged a petition with the King informing him of the intrusion of Massachusetts on their territory and of the enforcement of an oath of fidelity to that colony, and praying for an inquiry into the matter.¹

The petition was referred to a committee of seven. The appointment of Mason as a member gave little hope of impartiality. Two of the others, Mills and Povey, had held colonial commissionerships under the Parliament; the rest are unknown names.² Their report set forth that Godfrey had been illegally dispossessed by the Massachusetts government of an estate on which he had expended large sums, and that Mason also had been injured in his property. The Committee did not confine itself to the investigation of territorial claims. It took evidence on the general conduct and temper of Massachusetts, and sought to prejudice the case by somewhat indefinite accusations. It may have been true that the Massachusetts colonists had "for many years past endeavored to model and contrive themselves into a free state and commonwealth." It may possibly have been true that some hot-headed New Englanders had said that they would rather see the colony subject to Spain than admit the right of appeal to an English tribunal. But even if all these charges were well founded, they had no bearing on the strictly legal questions as to the boundaries or territorial rights of Massachusetts. The one point of real legal value in the report was the contention that Massachusetts had in 1636 made a definite territorial claim, and emphasized it by setting up a boundary house, as they themselves called it, at Hampton, while in 1652, though they did not profess

¹ A printed copy of the petition is in the State Papers, undated. Mr. Sainsbury has conjecturally placed it under 1659 (p. 478 of his Calendar). There can, however, be no doubt, I think, that this is the petition referred to in the document quoted below. It is there described as "The petition of Robert Mason and Edward Godfrey and others hereunto annexed, bearing date at Whitehall the seventeenth of November 1660."

² This report does not appear to be among the State Papers. It is printed by Belknap in an Appendix from a copy in the Recorder's office for Rockingham county.

to have acquired any fresh title, they altogether altered their case and claimed a boundary sixty miles further to the north.

Any one who had a grievance against Massachusetts was now sure of a patient hearing, and the Council for Plantations had to devote no small share of its time to considering petitions from Godfrey, Gorges, and Mason. Almost simultaneously Mason succeeded in obtaining a report from the Attorney-General, Palmer, to the effect that he had a good title to tracts of land conveyed to his grandfather by three separate grants from the Plymouth Council.¹

Meanwhile Gorges was taking measures to right himself without waiting for the interposition of the English government.

A counter-revolution in Maine. In May 1661 he formally authorized four Commissioners or trustees to act for him, among them his kinsman Champernown, and his father's staunch partisan, Joscelyn. Their design, so far as it can be judged from imperfect records, was to restore the proprietary government as devised by Sir Ferdinando Gorges. They demanded possession of all public documents, called together the freeholders of the colony, and granted commissions to such persons as were chosen by the people for civil and military offices. These proceedings, or at least so much of them as related to the territorial rights of Gorges, were formally communicated to the government of Massachusetts.²

A year passed before Massachusetts took steps towards putting down this counter-revolution. In May 1662 three Commissioners were appointed to restore authority. Two of them, Denison and Hathorne, had acted in a somewhat similar capacity ten years before. Their former colleague, Bradstreet, was now in England, and his place was filled by Waldron, a rich and influential settler near the north-eastern frontier. Their tone was at first peremptory. They warned their opponents not to play with them. If they continue their disorderly acts they will be forced to change their style. The trustees, now eleven in number, who acted for Gorges held their ground as firmly. Then both sides made a sudden and inexplicable surrender. A conference was held. No details are

¹ Palmer's report appears in the very valuable collection of papers published by the New Hampshire Historical Society (vol. i. p. 328). I can find no trace of the original among the State Papers.

² There is in the *Colonial Papers* a report of these proceedings, dated Dec. 27, 1661, and signed by Champernown, Joscelyn, and two others.

preserved either of the conference or of the agreement which was concluded. But the result was a compromise, by which two representatives of each side were to sit next month at York as a joint court for civil and criminal purposes.¹

It is necessary to go with some detail into those petty disputes, since they furnished not merely a pretext but a sound justification for the interference of the home government. Except
 Necessity for interference from England. Plymouth, which slumbered on in insignificance, each of the New England colonies had some unsettled dispute with its neighbors. Unless the energy and resources of the colonies were to be frittered away in endless litigation, some outside authority must step in and adjudicate. There was too another reason which made interference necessary. It was clear that Massachusetts was determined to temporize, and to evade, rather than defy, royal authority. That policy could be met only by establishing some external authority, at least for a time, in the colony itself.

Nearly a year elapsed after these proceedings in Maine and the return of the agents before the home government took any
 Commis- open action. But in the meantime negotiations went
 sioners sioners appointed. on, of which the details are not preserved, whereby the territorial rights of Mason and Gorges were to be transferred to the Crown.² Early in 1664 a commission was appointed to visit New England.³ Its avowed functions were twofold, to administer and to inspect. The Commissioners were to secure the King's rights over Maine and New Hampshire, to enforce the execution of the Navigation Acts, and the free exercise of religion according to the laws of England. All persons attainted of high treason were to be arrested. The Commissioners were to inquire into the administration of justice, the treatment of the natives, and the state of education. Over and above these avowed duties, they were entrusted with certain diplomatic powers conveyed in secret orders.⁴ These appear to have concerned Massachusetts exclusively.

¹ A correspondence between the Massachusetts Commissioners and Gorges' representatives, describing the whole of these proceedings, is among the *Colonial Papers*, 1662, May 26-8.

² That such negotiations were on foot is plainly stated in a document called *Considerations in order to the establishing his Majesty's interests in New England*. It is undated, but Mr. Sainsbury assigns it to 1664. Mr. Palfrey attributes it to Clarendon. He gives no reason for the conjecture, and it seems to me hazardous.

³ Their commission is among the *Colonial Papers*, 1664, April 23.

⁴ *Col. Papers*, 1664, April 23.

The Commissioners were to propitiate the colonists by a show of interest and sympathy with their religious ceremonies, if possible to win over the Governor and do their best to pack an assembly.

The choice of the Commissioners rendered the scheme powerless, alike for good and evil. They were four in number. Maverick was a capable man, and with so unpopular a character it is safe to assume that the absence of any specific charge is a proof of honesty and good conduct. But he was a declared enemy to the ruling powers of Massachusetts, and he would have to deal with men who had measured their strength with him in public life, and knew themselves to be his masters. It is clear that even his employers feared lest the memory of personal grievances should influence his conduct. His advanced age too must have somewhat unfitted him for such work. Neither Carr nor Cartwright seems to have had any special knowledge of colonial matters to fit them for their post. Both seem to have been men of loose life and speech, who did not scruple to outrage the decorous capital of Puritanism by importing the manners current at Whitehall. Carr's character indeed stands self-revealed in his letters to his colleagues. He could find time to gossip about the probable marriage of some "Mistress Katherine," and to crack scurrilous jokes on the details of a divorce case.¹ At a later day, when his business in Massachusetts was at an end, but while the memory of his conduct was yet fresh, he revisited Boston, and was brought before a magistrate for beating a constable who had tried to turn him out of a tavern during forbidden hours.²

The one man whose character redeemed the Commission was Nicolls. But his post as Commissioner was wholly subordinate to his military duties as commander of the expedition against New Netherlands. The constitution of the Commission provided that two might act, but that Nicolls' presence was necessary to give validity to any proceedings. The result was that, as Nicolls was nearly the whole time employed elsewhere, the Commission was paralyzed.

From every point of view the Commission was a hopeless failure. In every colony but one it was well nigh a nullity; in

¹ *Col. Papers*, 1665, Jan. 30.

² *Hutchinson* vol. I. p. 254. In a letter from Cartwright to Nicolls (1665, April 19) it is told how a Quaker charged Carr with "keeping a naughty woman."

Massachusetts it was an irritant. The Commissioners strove to reconstruct Maine as a separate colony, but failed to infuse into it any power to resist the persistent aggressiveness of Massachusetts. Rhode Island and Connecticut received them with the loyalty which might have been expected from colonies which had just enjoyed such signal marks of royal favor. Indeed the only substantial result of their labors was the settlement of the dispute to which Connecticut, Rhode Island, and the Atherton Company were all parties. The three contracts between the Atherton Company and the Indians were all annulled. The territory in question was created a province by itself. The government of it was vested in a board of magistrates, and the office was conferred on the Governor, Deputy-Governor, and Assistants of Rhode Island.¹ The arrangement seems like a compromise whereby the demand of Rhode Island was granted, without exposing Connecticut to a direct rebuff. The Commissioners likewise disposed of the Duke of Hamilton's petition by reporting that no attempt had ever been made to occupy under his grant.²

In Plymouth the Commissioners were also well received, and went away satisfied. In real truth the obscure and unpractised statesmen who now ruled the colony seem to have shown singularly good judgment in giving way on minor points and standing firm as to essentials. The Commissioners made four demands of them. Firstly, they were to impose the oath of allegiance on all householders, and to administer justice in the King's name. Secondly, they were to admit all men of competent estate to the rights of freemen, irrespective of creed. Thirdly, all person of orthodox opinions and competent knowledge, and not scandalous in life, were to be admitted to the sacraments. Fourthly, all laws or expressions derogatory to the King were to be removed.

These were, in substance, the demands made by the King in his letter to Massachusetts, the receipt of which brought down such a storm of wrath upon Bradstreet and Norton. In one respect indeed the case was different. The qualification in Ply-

¹ See the report of the Commissioners in *Col. Papers*, 1665, Dec. 14; cf. R. I. Records, vol. ii. pp. 93-4.

² *Col. Papers*, 1665, Nov. 20.

³ For their proceedings in Plymouth see their report and the Plymouth Records (vol. iv. pp. 85-7).

mouth for citizenship was already that for which the Commissioners asked, and one is driven to believe that in their ignorance of colonial politics they had supposed that in this matter the constitutions of Plymouth and Massachusetts were alike. All these proposals were accepted by Plymouth with only the reservation that no person should be thereby exempted from church dues.¹

But when the Commissioners tried to bribe the colony by the offer of a charter free of all cost, on condition that the King had a voice in the appointment of the Governor, the net was spread in vain, and the Assembly "with many thanks and great protestations of loyalty chose to be as they were."² They showed the same caution when the Commissioners interfered on behalf of one Nicarson, who had broken the law in purchasing land from the Indians. The Court remitted his fine. But they took care that no precedent should be set up for an appeal, by stating that they did it "to gratify the Commissioners and not to press things to extremities."³

It was in Massachusetts that the Commissioners would really have to fight their battle. Their first visit to Boston preceded their journey to the more southern colonies. A General Court was called. A request for a reinforcement against New Netherlands was met by an order for raising two hundred volunteers.⁴ On the point of restricting the franchise to church-members the Assembly ostensibly gave way. It substituted a qualification which required a certificate of orthodoxy from the minister of the town where the voter dwelt. The change was plainly but nominal.⁵

While the Commissioners were making their progress through the other colonies Massachusetts was concerting measures of resistance. A committee was appointed to draw up a petition to the King. The work was entrusted to three persons, Leverett, Mitchell, now one of the chief divines in the colony, and a less known man, Willoughby.⁶ In sobriety of tone, in its definite assertion of certain limits at which allegiance is to stop short, the petition may take rank with those remonstrances which were wasted on George the Third and his ministers. The petitioners mention with simple dignity the sufferings of their forefathers, and

¹ Plymouth Records, vol. iv. p. 80.

² Report.

³ Mass. Records, vol. iv. pt. ii. p. 280.

⁴ Mass. Records, vol. iv. pt. ii. p. 279.

⁵ Plymouth Records, vol. iv. p. 101.

⁶ *Id.* p. 217.

they claim that those sufferings have earned for them a right to live under their own laws and under rules of their own choice. So far as it was a protest against the exercise of arbitrary power by unworthy and incompetent men we cannot withhold our sympathy. But it should not be forgotten that there was another side to the question. The protest against interference was the outcry of a caste which saw its power menaced, the demand of a priesthood for liberty to shed blood.¹ At the same time that the petition was drafted the colonists made more than one attempt to win over influential men in England. They wrote to Boyle, whose interest in the Society for Propagating the Gospel had necessarily brought him into contact with New England. Their letter set forth that the judicial authority given to the Commissioners was an infringement of liberties of the colony, and implied that Boyle might use his influence to get the commission revoked.² At the same time they wrote to Clarendon. That letter is no longer extant, but to judge from Clarendon's answer it was in somewhat the same strain as the appeal to Boyle. There was little comfort for the colonists in the answers sent to them. The petition was answered by Sir William Morice, the Secretary of State. He justifies the sending out of the Commissioners as a lenient means of dealing with all the complaints which have poured in against Massachusetts from so many quarters. All that the King expects is duty and cheerful obedience. The nature of such duty is then explained by the suggestion that, 'since his Majesty hath too much reason to suspect that Mr. Endicott is not a person well affected to his Majesty's person or his government, his Majesty will take it very well if at the next election any other person of good reputation be chosen in the place, and that he may no longer exercise that charge.'³ Clarendon told the colonists plainly that it would have been a friendly act to suppress a petition so disrespectful to the King.⁴ Boyle, with somewhat cold courtesy, points out how unlikely it is that the King would insult the Commissioners by revoking their commission before they had begun to act under it.⁵

¹ For the petition see Records, vol. iv. pt. ii. p. 129.

² This letter is in the Hutchinson Collection, p. 389.

³ Morice's letter is among the *Colonial Papers* (1664-5, Feb. 25). It is also printed in the Hutchinson Collection (pp. 390-2).

⁴ Clarendon's letter is given by Hutchinson in an Appendix to his History (vol. I. p. 544).

⁵ Boyle's letter is in the Danforth Papers (p. 49).

The dispute in reality turned on two points, with neither of which Clarendon, Boyle, or Morice attempts to grapple. The first was a question of detail, the personal unfitness of the Commissioners; the other was a question of constitutional principle, the right of the King to interfere with the course of justice.

In the summer of 1665 the Commissioners returned to Boston.¹ Three months before Endicott had died,² and almost at the moment of their return his place had been filled by Bellingham.³ There would be little profit in following out the details of their disputes with the legislature. Though the patriotism of Massachusetts might have waned, and though there was none like Winthrop among her counselors, yet there was enough wisdom and firmness in the colony to baffle her present assailants. The demands made four years earlier through Bradstreet and Norton were now repeated by the Commissioners. They were also supplemented at a later stage of the discussions by a prohibition to coin and a denial that the charter gave any power to create corporations. For three weeks the Court fenced with the Commissioners, giving guarded replies and avoiding any real concession.⁴

On one point however the Commissioners were met with a direct denial. The legislature refused to permit the use of the Common Prayer Book, inasmuch as it would disturb their peace.⁵

But the real issue on which the contest turned was the question of appeals. The right to be tried by their own tribunals was to the New Englanders of that day what the right to be taxed by their own representatives was to their descendants. The constitutional claim of the King might have fared better if the Commissioners had forborne to act themselves as a court of appeal. Considering how justice had been administered in Massachusetts, it could have been no hard matter for the Commissioners to enlist the sympathy of disaffected inhabitants on this point. Yet with so little judgment did they choose their ground, that they opened the contest by an attempt to save a disreputable law-breaker from the punishment which he had incurred. A certain John Porter, the son of a Salem yeoman, had

¹ They arrived on July 23 (*Mass. Records*, vol. iv. pt. ii. p. 157).

² He died March 15 (*Hull*, p. 215). His funeral expenses were defrayed at the public cost. The vote for this is dated May 25 (*Mass. Records*, vol. iv. pt. ii. p. 151).

³ *Mass. Records*, vol. iv. pt. ii. p. 141.

⁴ The whole of these proceedings are fully told in the *Records*.

⁵ *Mass. Records*, vol. iv. pt. ii. p. 200.

squandered his father's capital in thriftless and vagabond courses in the West Indies. Thence he found his way to a debtors' prison in England. Some friends released him and returned him to his family, and his father paid his debts. But he went on in his evil ways, and his language to his parents might have exposed him to the punishment of death, but that they forbore to press the case. As it was he was sentenced to be flogged and imprisoned. He was however set free, binding himself to leave the colony and not to return under a forfeit of two hundred pounds. He presented himself before the Commissioners at Warwick, and obtained from them a warrant authorizing him to be heard by them on appeal at Boston, with an order of protection in the meantime. Men of no strong political views, who cared little for the independence of the local tribunals in theory, would shrink from a system of which this was the first-fruits.

Meanwhile the Commissioners had wholly failed in their attempts to extract from the Court any general acknowledgment of their jurisdiction. At length they asked, Did the Court acknowledge the Commission? The answer was that it was "beyond their line to declare their sense of the power or purpose of the commission." They added that they only knew their own rights under the charter.¹

The Commissioners then for the second time attempted to act as a judicial tribunal. Kirke, Kellond, and one Thomas Deane charged Joshua Skottow, a Boston merchant, with importing certain goods in contravention of the Navigation laws.² Deane demanded that the case should be heard by the Commissioners. They acceded to this, and fixed a day and hour for the hearing. The Court now for the first time took up an attitude of open defiance. They ordered a declaration to be published by sound of trumpet, setting forth that the Commissioners by taking on themselves the office of magistrates, had infringed the charter, and so constructively violated the King's orders. They therefore formally refused their consent to these proceedings, and forbade any of the King's subjects to countenance them.³ The Commissioners protested, but made no attempt to enforce their claim.⁴

¹ *Mass. Records*, vol. iv. pt. ii. p. 207.

² There is a short statement of the original case in the *Records* (vol. iv. pt. ii. p. 218).

³ The declaration is in the *Records* (vol. iv. pt. ii. p. 209). For the form of proclamation see *Hutchinson* (vol. i. p. 225).

⁴ *Mass. Records*, vol. iv. pt. ii. p. 210.

Baffled in the attempt to establish their position as a judicial tribunal, the Commissioners renewed their demand for administrative and constitutional reforms. The royal arms were to be set up in all courts of law, the train-bands were to march under the royal colors, and writs were to run in the King's name. It cannot be said that this was an attempt to introduce anything new into the structure of the constitution. But to bring into prominence a feature of the constitution which before had been inertly acquiesced in is practically a constitutional change. It may not alter the structure of the constitution. It alters what is quite as important, the outward and visible aspect in which it presents itself to the eyes of men.

Other amendments were suggested for the protection of members of the Church of England.

The answer of the Court to this was little more than a dexterous evasion of the points at issue. They said that the King's supremacy was fully recognized, ignoring that the contention of the Commissioners was that it should be more explicitly asserted. They justified the exclusion of church-members from government on the plea that no real advantage attached to office. "Holders of office are not rendered the objects of envy for any personal benefit that they have thereby." This wholly evaded the real grievance of the excluded. They complained, not that they lost the advantages of governing, but that they suffered the disadvantage of being governed.

The Court probably felt that this was the weak side of their case, since they speedily transferred the discussion to ground on which they were more secure. They once more protested against the action of the Commissioners in constituting themselves a Court of Appeal. In doing so they had infringed the charter of the colony, and thereby encroached on the authority which had been definitely granted by the Crown.²

The struggle was now transferred to another quarter. At the end of May, immediately after their last-mentioned defeat, the Commissioners went to the north-eastern plantations. In New Hampshire they received, or, as their opponents contended, in-

¹ For these proposals see *Mass. Records*, vol. iv. pt. ii. p. 212-3.

² *Mass. Records*, vol. iv. pt. ii. pp. 221-3.

³ A full account of the proceedings of the Commissioners and of the Massachusetts government may be found in the *Colonial Papers* and the *Massachusetts Records*.

vited, petitions from some of the inhabitants against the tyranny of Massachusetts. In Maine they set up a provincial government, vested in eleven magistrates, and issued orders that for the present neither the representatives of Massachusetts nor of Gorges should interfere.¹ The Massachusetts government at once met this proceeding by sending a commission to inquire into grievances and suppress disorder. Near the end of the year the Commissioners returned to Boston, and after one more fruitless attempt to negotiate with the Court left New England. Fate was against them to the last. The papers which they sent home were seized by a Dutch privateer, and the attack was deferred till fresh copies could be sent.²

The Commissioners in New Hampshire and Maine.

A letter is extant from Maverick to Clarendon, written during the latter days of the Commission, of great value, both as illustrating the views of the writer and as helping to explain the attitude taken up by the colonists.³ He suggests that only persons specially licensed should be allowed to trade with New England, and that this should be enforced by two vessels stationed off the coast. Refractory Boston merchants may also be punished by seizing their estates in England. Two or three of the most disloyal of the inhabitants may be sent to England. He specially singles out as fit persons to be thus dealt with, Bellingham, Hathorne, Gookin, Waldron, and a less known man, Oliver. This last clause would seem, by a not unnatural precaution, to be written in invisible ink.⁴

Maverick's advice.

The Court of Massachusetts anticipated their attack by a petition to the King, in which they dwelt chiefly on the personal animosity of all the Commissioners towards them, Nicolls excepted, and on the unfairness of their proceedings in collecting evidence from "Quakers, Indians, libertines, and malefactors."⁵

Correspondence between the King and Massachusetts.

In the spring of 1666 the King took action on the report of the Commissioners. A circular letter was addressed to the three confederate colonies.⁶ Practically we may say that it was ad-

¹ *Col. Papers*, 1665, June 23.

² Cartwright's capture is repeatedly spoken of by his colleagues as matter of notoriety. It is definitely told by Temple in a letter to Arlington (1667, March 20).

³ The letter is among the Clarendon MSS. in the Bodleian. It is dated Nov. 7, 1665.

⁴ I have to thank the Rev. W. D. Macray for calling my attention to this fact.

⁵ *Mass. Records*, vol. iv. pt. ii. p. 274.

⁶ *Col. Papers*, 1666, April 20.

March 1. Massachusetts made in reference to the two other colonies the first general expression of satisfaction. The two points to which commissioners touched but slightly on the general subject. It was not so much an assertion of power as a formal announcement of the intention to take further proceedings. The arrangements which the Commissioners had made in Massachusetts were not yet announced. All persons who had been arrested for obstructing the Commissioners were to be set free. A number of persons were to be sent to England on behalf of the colony. John Hammarie and Bellingham were to be two. A formal suggestion in all likelihood, by Maverick's letter. Any person claiming or infringing the charter is carefully disclaimed. A separate letter was sent to the Governor and Council of Rhode Island in which the dutifulness and obedience of that colony is shown by their reception of the Commissioners, and warmly commended with the conduct of Massachusetts.¹

The real danger to Massachusetts lay in disunion. Nicoll's letter was the weak point in his enemy's harness when, following up Maverick's advice, he suggested to the authorities in England that the trade of Boston might be transferred to New York,² and that by an embargo "the well affected" could easily be induced to give up "the ringleaders."³

The conduct of "the well affected" showed that there was some ground for Nicoll's hopes. A petition, signed by more than a hundred inhabitants,⁴ was laid before the Court at Boston, begging that "nothing likely to cause the King resentment might be further proceeded in." The Court declared the petition "unadvised" but those who signed it do not seem to have been exposed to any punishment beyond unpopularity.

A fragmentary report has been preserved of a debate among the Governor and Council as to the reception of the King's demands. It was on the verge of a process which for more than twenty years was a war in Massachusetts, a division of the colony into a party of resistance and a party of compromise. Among the names of the latter were Willoughby, and Ha-

¹ Col. Papers.
² *Massachusetts Magazine*, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 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thorne play the leading parts. Their attitude towards the King breathes the spirit of those who withstood his father.

When Bradstreet urges that the King's prerogative gives him power to summon them to England, he is reminded by Willoughby that they must consider God's displeasure as well as the King's, their own interest and that of God's things as well as the King's prerogative, and by Hathorne that prerogative is limited by law. One argument urged by Bradstreet shows how the commercial prosperity of Massachusetts might become a source of political danger. Merchants trading with England may be injured in their estates there.

This, as we have seen, was a mode of attack specially suggested by Maverick. It is to be noted that Hathorne and Bellingham were among the malcontents who might advantageously be sent to England. The tenor of the debate excited a suspicion that Maverick's advice had become known. If it were so, one can well understand that the real motives for disregarding the King's commands could not be prudently stated by the colonists in their answer.

The actual policy adopted was probably a compromise between the two views. An answer was sent in the name of the Court to the King.¹ The letter in which he required agents to be sent had been preceded by one instructing the Court to take counsel with Temple concerning an attack upon the French. The reply deals mainly with this. After giving reasons against the suggested operations, the Court refer to an instruction sent them through Maverick. This evidently refers to the order to send home Commissioners. The Court profess to have doubts of the authenticity of the document. But, in any case, they had already given reasons why they could not submit to the Commissioners, "and therefore cannot expect that the ablest persons among them could be in a capacity to declare their case more fully."

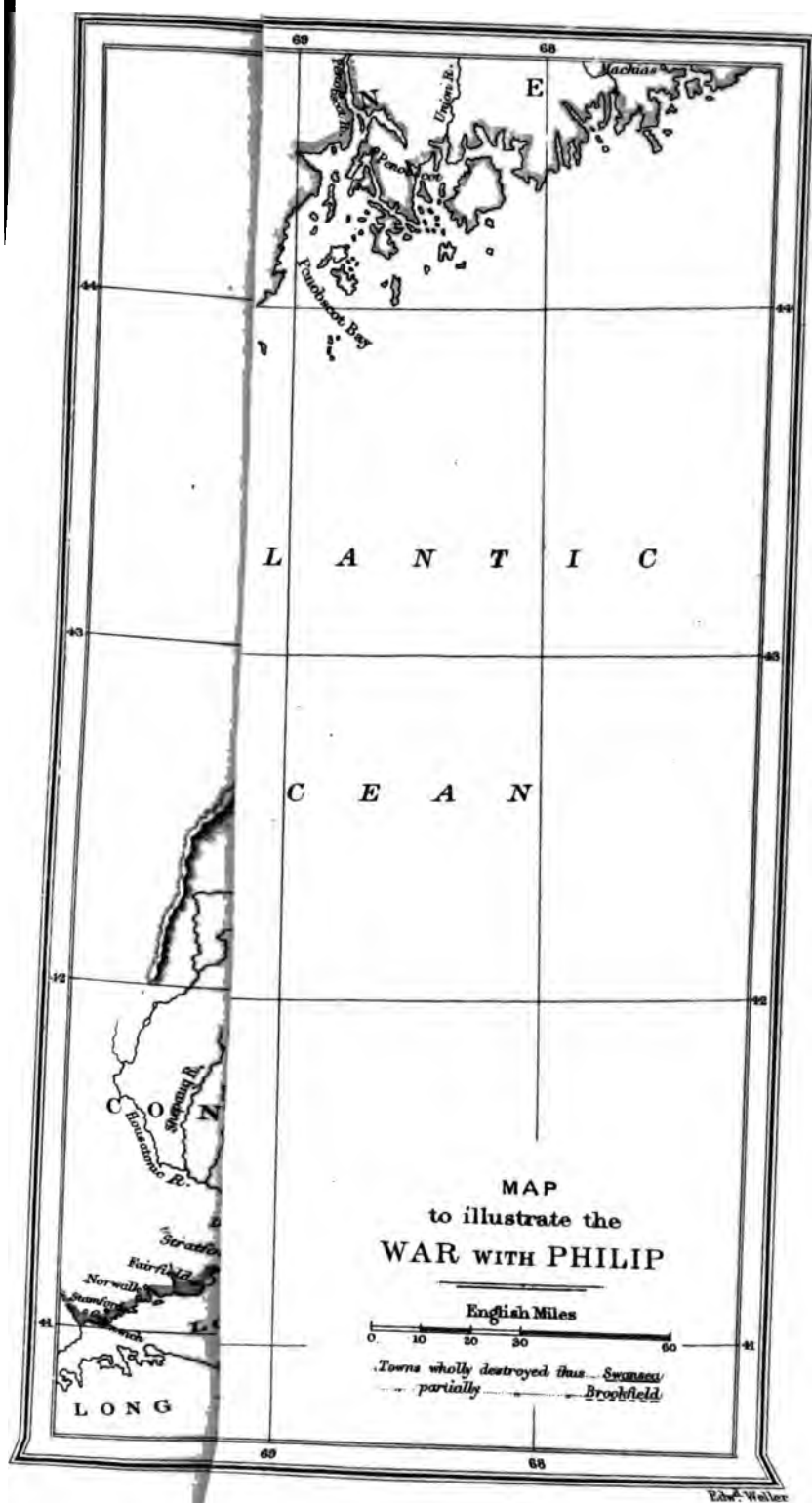
Circumstances aided the temporizing policy of Massachusetts. England was at war with the Dutch and French. The former were eager to recover their lost territory; the latter ^{Cessation of attacks.} might at any moment hurl a horde of savages on the English provinces. At such a time Charles could ill afford to risk a rebellion in Massachusetts. A present of masts to the royal navy at once propitiated the authorities in England, and

¹ Danforth Papers, p. 108.

reminded them of the utility of the colony.¹ The internal politics of England too favored Massachusetts. The policy which threatened their liberties was the policy of Clarendon individually, and when power passed from his hands there was no heir to his projects. English politics became a vile game of personal intrigue in which New England counted for nothing. She might indeed suffer as Virginia suffered. She might be made a spoil for needy hunters and rapacious courtiers. She was for a while safe from any definite scheme of political subjection.

The failure of the Commission was in some sense an opportunity lost. Men of higher administrative capacity than the Commissioners might have done something. They might have settled boundary disputes once and for all. They might have equitably extinguished the remnants of proprietary claims in Maine and New Hampshire, claims harassing to the settlers and of little profit to the possessors. It is possible that they might have enforced forbearance on the orthodox party in Massachusetts without interfering with the legitimate rights of the colony. But even if a statesman had been found to conceive such reforms and administrators to carry them out, the best part of the work would have perished under the blundering tyranny of the next reign. The success of the Commission could only have been what the failure was, an incident in the administrative history of the colony, not a stage in its constitutional growth.

¹ Mass. Records, vol. iv, pt. ii, p. 327. The arrival of the masts is referred to by Pepys (vol. iii, p. 24, ed. 1854). Hull in his Diary (p. 227) mentions another present of masts sent in the spring of 1668. Shapleigh, Mason's agent tells him in a letter written in May 1667 (*Col. Papers*) that Waldern (I suppose Major Waldron) and Cuffin had been cutting masts on his (Mason's) land to lade a vessel, the Great Duke of York. One wonders whether the Massachusetts government was using Mason's own property as a weapon against him.



CHAPTER III.

THE WAR WITH PHILIP.¹

FROM the departure of the Commissioners till the outbreak of the Indian war the life of Massachusetts was tranquil. The only events of any importance beyond her own borders were the re-establishment of her authority in Maine and the reconstitution of the confederacy. Though the Commissioners in their progress through the north-eastern plantations had no difficulty in getting signatures to petitions against the authority of Massachusetts, yet it is clear that among the settlers in Maine there was little real feeling on the subject,

¹ The chief authority for the Indian war is Hubbard. Of his other and much less meritorious work I have already spoken (vol. ii. p. 83). His history of the war was accepted by the government of Massachusetts as an authentic statement, and was published in 1677. It is entitled *The Present State of New England, being a Narrative of the Troubles with the Indians*. It is in four parts: 1. The account of the war. 2. A table showing the amount of damage done to life and property. 3. A postscript describing the end of the war among the Narragansetts. 4. An account of the war north of the Piscataqua. There was also a manuscript continuation of this fourth part, to which Belknap had access, and of which he made use. *Entertaining Passages relating to Philip's War*, by Captain Benjamin Church, published in 1716, is an admirable account of such scenes as the author himself took part in. It was republished in 1865 with very full and valuable notes by Mr. Dexter. He has followed the praiseworthy usage of most American editors in preserving the original pagination. In this case however I have found it more convenient to refer to the new pages. Mather's *Brief History of the War*, published in 1676, and re-edited by Mr. Drake in 1862, occasionally supplements Hubbard. Mr. Drake has also collected five pamphlets of some importance, and published them under the title of *The Old Indian Chronicle* (Boston, 1836). The first and most important is entitled *The Present State of New England with reference to the Indian War*. The author calls himself a Boston merchant.

Gookin's *Account of the Doings and Sufferings of the Christian Indians in New England in 1675, 1676, and 1677* is a valuable, though necessarily somewhat partisan, work. It is published in the second volume of the *Archæologia Americana*. His *Historical Collections of the Indians in New England* was written in 1674, and is a very full account of the missions in Massachusetts and Plymouth, and of other matters connected with the natives in those colonies. It was first printed in the *Massachusetts Historical Collection*, 1st series, vol. i. I refer to this work as *Gookin, Historical Collection*, and to the former one as *Christian Indians*. Of Gookin himself and his conduct during the war, as also of Church, I have spoken in my text. Some important details as to the war may be learnt from the Journal of the Council of Connecticut, published as an Appendix to the second volume of the Records.

and still less power of resistance. Early in 1668 certain inhabitants of Maine addressed a petition to the Court of Massachusetts, praying them to resume their jurisdiction.¹ Thereupon a Commission was appointed to administer the affairs of Maine. A notice was sent to the inhabitants requiring them to submit to the laws of Massachusetts,² and a day fixed for a court at York at which all necessary officers were to be chosen. Nicolls, still in America, at once met this with a warning.³ The Court might, he told them, be strong enough to enforce their authority; but they could not fail to offend the King, and in all likelihood they would cause bloodshed. The latter part, at least, of Nicolls' prophecy was unfulfilled. All sensible men in Maine, even if they had no special love for the Puritan Commonwealth, must have been ready to welcome a rule which at least had in it a promise of stability.⁴ In July the four Commissioners from Massachusetts, with a guard of twelve horsemen, which must have been meant as a matter of state and not to coerce nor threaten, appeared at York. Even before their appearance there had been something in the nature of an outbreak against the magistrates,⁵ and it is clear, on the showing of the other side, that the Massachusetts Commissioners received plenty of support. Indeed, though the proceedings are somewhat obscurely told, it seems as if the partisans of Massachusetts in Maine rather outran her authorized agents in their zeal. The Commissioners summoned a court, and Maine was formally constituted, as before, a county of Massachusetts. That the change was neither brought about nor maintained by force may be assumed from the testimony of the dispossessed magistrates, since it is plain, from their own letters, that they were neither driven from the colony nor subjected to any kind of restraint.

¹ This is expressly stated in a report of the whole affair drawn up by Philips and sent to England (*Col. Papers*, 1668, Sept. 1). The petition does not seem to be extant.

² The resolution appointing Commissioners and the order to the inhabitants of Maine are in the *Col. Papers* (1668, May 21, 1751, 1753).

³ For his letter see *Col. Papers* (1668, June 12).

⁴ The leaders of the opposite party admit, in their report sent home to England, that the people countenanced the Massachusetts Commissioners and obstructed the King's authority. The principal account of these proceedings is the report, above referred to, by Philips, one of Joscelyn's supporters. There are also two letters from Joscelyn and his supporters to Nicolls (*Col. Papers* for 1668, Nos. 1787, 1848). The report of the Commissioners is in the *Massachusetts Records* (vol. iv. pt. II. p. 401).

⁵ This is quite clear from the report sent by Joscelyn and his friends to Nicolls on May 20 (*Col. Papers*). Here they speak of "tumultuous distractions daily increasing." This was fully six weeks before the Commissioners arrived.

The union of Connecticut and Newhaven had virtually annihilated the confederacy. The federal compact had been almost
 Change in the confederacy. openly and avowedly broken, and the balance needful for such a body had been destroyed by the loss of a member. In 1664 the Commissioners of four colonies came together for the last time, and then voted that their meetings should henceforth be triennial.¹ The Court of Plymouth wished to go even further and to dissolve the confederation.² In 1670 a new constitution was framed, adapted to the altered state of affairs.³ There is little interest or importance in the proceedings. The old federation had been in truth a rope of sand, a testimony to the need for union rather than a means of union. If the experiment had failed with four colonies when the predominance of Massachusetts was not so fully pronounced, and when the sense of a common faith and common aims was at its height, how could it succeed when the fibers of public spirit were relaxed, when one colony had been politically annihilated, and its citizens were yet smarting under their humiliation, and when another had been distanced in the race of wealth and numbers?

Such changes as were introduced all tended to make the new confederation even feebler than its predecessor. The meetings were to be triennial, and questions of offensive war were to be referred back to the separate legislatures. As an instrument of defense such a combination was valueless. All that it could do would be to preserve a germ of union which might at a later day grow into something more real.

Days were at hand in which New England would need all her defensive resources, military and political. There never can have
 Danger from the Indians. been a time during the reign of Charles the Second when the people of New England felt wholly free from the dread of an attack on their liberties. But assuredly there was nothing to show that the prosperity, and, as it seemed for a moment, the very existence, of the colonies, was to be threatened by a foe dwelling almost in her midst.

We have already seen what were the relations between the settlers and the savages. Since the Pequod war a few attempts to resist territorial encroachment had been sternly repressed, and the natives seemed to have resigned themselves either to accept

¹ Acts of Commissioners, vol. ii. p. 318.

² *Id.* p. 324.

³ *Id.* pp. 340-4.

the friendship of the English or to acquiesce in their domination with sullen despair.

The Restoration furthered rather than checked missionary labors in New England. A copy of the Bible, translated into the Indian tongue, was sent to the King by the Federal Commissioners, with a dedicatory letter setting forth the importance of the Indian missions.¹ The Society for the Propagation of the Gospel in New England was re-incorporated under a royal charter.² As before, the funds of the society were laid out in the payment of missionaries, in the printing of Bibles for the natives, and in the maintenance of Indian scholars.³ As we have already seen, the New England missionaries had done nothing towards extending Christianity through that great mass of barbarism which flanked the English settlements. The system adopted indeed forbade any such hope. The labors of the New England missionaries were almost wholly confined to those broken tribes which were girt in by the English settlements. Their plan was to isolate small bodies of converts, and to bring them up in Christianity, and in habits of peaceful industry, on lands allotted to them by the government of the colony, and secured against alienation.⁴ When Gookin wrote, in 1674, there were in Massachusetts fourteen such villages of so-called Praying Indians, numbering in all eleven hundred. Gookin's account of Plymouth is less full. There the organization of the converts does not seem to have been so complete. Their whole number, as far as can be ascertained, was about six hundred. The elder Mayhew too continued his labors in Martha's Vineyard, and in Nantucket there were three "praying towns." It is to be noticed that in all these cases, not merely were the converts brought together in isolated communities, but those communities again lay together in groups. In other words, a certain number of natives were, if one may use the expression, debarbarized and trained up in fairly decorous ways, in some degree of thrift and industry, and a semblance of civilized habits. The great mass of savages who confronted the English remained untouched. The process was the exact opposite to that adopted

¹ Acts of Commissioners, vol. 1, p. 255.

² *Col. Papers*, 1662, Feb. 7.

³ Full accounts of the outlay for one year are given in the Acts of Commissioners (vol. II, p. 277).

⁴ Gookin gives a very full account of the different settlements.

by the French in Canada. There the missionary, crucifix in hand, plunged boldly into the wilderness and spread among the savages a vague knowledge of religious truth, and a much more definite idea of the greatness of France. As an agent of civilization he did nothing; as a teacher of Christianity, in any worthy sense of the word, he did little; but as a recruiting officer he was beyond price. For the natives themselves there can be little doubt which system was best. For the "praying Indian" the change in his lot may not have been all gain. The life of the farm and the workshop was ill fitted for men trained by hereditary habit and instinct to the life of the forest. But the lot of a convert in New England was assuredly better than that of the savage, whom the French diplomatist corrupted with spirits, and the French priest hounded on to avenge the wrongs of the Church on English heretics. And however it might be with the taught, there can be no doubt which was in the long run the best system for the teachers. It was better to bear all that Philip and his warriors could inflict than to have a share in the guilt of Schenectady and Fort William. The Indian alliance was in reality a reed, which if a man leant on it pierced his hand. But the French system at least left the colonists for a while free from dangers and difficulties which had to be faced by the English.

Thirty years of peace, broken only by a few vague alarms and by paltry threats, which gave way before the least show of determination, had lulled the English into security. The English laws about selling arms and ammunition to the Indians were relaxed. In Plymouth all restraints seem to have been abolished.¹ In Massachusetts² and Connecticut³ such commerce was confined to certain authorized agents. The dealings of the settlers with the Navigation Act make it likely that they showed equally little regard for the restraints on the Indian trade.⁴

Moreover, the colonists no longer formed a compact body behind an easily guarded frontier. From a variety of causes they had spread abroad over the land. The religious spirit, which made congregational unity a needful condition

¹ Plymouth Records, vol. xi. p. 215.

² Mass. Records, vol. iv. pt. ii. p. 364.

³ Connect. Records, vol. ii. p. 119.

⁴ This suspicion is confirmed by a letter from Symonds, the Deputy-Governor of Massachusetts, to Sir Josiah Williamson (*Col. Papers*, 1676, April 6). Andros, the Governor of New York, seems to hint at the same thing in a letter written to the Council of Connecticut, Jan. 20, 1675. It is in the Connect. Records (vol. ii. p. 404).

of civic life, had lost some of its force. The growth of the export trade in wool increased the demand for pasture. This is forcibly illustrated by a law passed in Connecticut in 1670, whereby every adult male, assistant-commissioners and ministers of the gospel only excepted, was bound to spend one day in June in clearing the public ground, and thereby increasing the pasturage for sheep.¹ In 1663 the government of Plymouth found it necessary to check the tendency to dispersion by a special enactment, prohibiting all new plantations unless there was such a number of inhabitants "as the Court should deem meet to begin a society."² In spite of this outlying villages sprang up, unable to take part in any united system of defense.³ Another evil was that more land was nominally taken up than could be properly cleared. Among the comparatively populous settlements along the sea-coast there might be large tracts of forest outside the townships, but all lands close to the towns were under cultivation or cleared for pasture. But in the newer and more remote settlements the homesteads were surrounded with brushwood, which offered cover to an approaching enemy.⁴ The special point of danger was where the colonists had been tempted to spread themselves abroad along the fertile valley of the Connecticut. On the upper waters of the river a group of three villages, Hatfield, Hadley, and Northampton, had come into being. Their nearest neighbors were at Windsor, twenty miles below, while they were separated from the main body of the Massachusetts townships by nearly fifty miles of forest. Ten miles farther up the river was Deerfield, while as far again was Northfield, the highest, as its name showed, of all the villages on the Connecticut. On the west side of the river there was another outlying settlement, Simsbury, on a small tributary of the Connecticut, some eight miles from Windsor. To the east of these settlements lay a tract of wilderness about sixty miles broad, broken only by the two isolated villages of Brookfield and Worcester, the latter still known by its Indian name of Quinsigamond. Thus the English settlements formed as it were three sides of an irregular quadrangle, with an almost unbroken forest in the middle. To any one looking at the map

¹ Connect. Records, vol. ii. p. 139.

² Plymouth Records, vol. xi. p. 210.

³ Symonds notices this as a cause of the war in a letter to Williamson (*Col. Papers*, 1676, April 6).

⁴ Hubbard, p. 6a.

it might seem at the first glance as if the settlements along the Connecticut were a strip of English soil thrust out into the heart of the wilderness, and exposed to attack on each side. Fortunately however the condition of the Indians along the west bank of the Connecticut saved the settlers from any danger there. The Mohicans and the Pequods seem each in their day to have exercised some sort of dominion there, though it is not clear how far up the river their authority extended. Now however the country was scantily peopled with tribes too unimportant for their names to be recorded, who acknowledged the authority of the Five Nations. At the same time none of the members of that confederacy seems to have had any abiding settlement near the Connecticut, nor to have come thither save when a small band of warriors made a raid towards the east, or when the old chiefs came to receive the annual tribute.¹ In fact it appears as if the terror of the Mohawk name had left a belt of unoccupied territory to the west of the English settlements.

With the Mohawks themselves the relations of the English were friendly, a result due rather to good fortune than to any dealings of liberal policy on the part of the New Englanders. The French rulers of Canada saw that the territorial extension of their colony, and their supremacy over the neighboring tribes, could only be secured by the downfall of the Five Nations. Thus menaced, the Indian confederacy was almost forced into friendship with the English. The settlers were fortunate in more than one opportunity of securing the good-will of the Mohawks. One such incident has been told already. In 1664 a like opportunity occurred, of which our accounts are fuller and more authentic.² One September afternoon the people of Cambridge were startled by the appearance in their fields of five young Indians, every man armed with gun, pistol, knife, and tomahawk, and well supplied with powder and ball. The constable was sent out with a party of men to seize them, which he did with such ease as to create a reasonable suspicion that they had come as spies, and wished to see the inside of an English settlement. The prisoners were at once known by their

¹ Trumbull, vol. i. p. 56. Colden's *History of the Five Nations* (ed. 1750, p. 3). It is perhaps needless to notice that the name Mohawk is strictly that of one of the Five Nations, or, as the French called them, cantons. In applying it to the whole confederacy I am only following a convenient usage.

² This story is told very fully and graphically by Gookin (*Hist. Coll.*, pp. 164-6).

equipment and speech for Mohawks. They freely admitted that they had come on a raid among the Indians, but earnestly disclaimed any designs against the English. Their captors remonstrated with them, but in the spirit of the soldier rather than the missionary. It was a base thing to come secretly skulking into the country, to cut off their enemies in ambushes, and that from mere thirst for blood, since there was no hope of plunder. Let them meet their foes openly in a fair field, and so end the war at one blow. To this the Mohawks answered with the plea of immemorial usage.

The neighboring Indians who had been menaced not unnaturally clamored for the death of the prisoners. What would be said if they caught five wolves and turned them loose in the English pastures? Were their wives and children less precious than the herds and flocks of the white man? The settlers at this appeal "were put upon serious thoughts how to manage this affair as became wise and Christian men." They felt that they could pacify their own neighbors, but that it would be at once unjust to punish five men who had yielded themselves up without resistance, and dangerous to provoke the Five Nations. The prisoners were not merely set free with their arms, but presented with coats and safely escorted through their enemy's country by a troop of horse. At the same time letters were sent by them to their chiefs, forbidding them to molest the Indians who were under the protection of the settlers, or to come into the country of the English except on important business.

A year before this affair Cartwright, acting on behalf of the English government at New Netherlands, just after the capture of that colony, entered into an alliance with the Five Nations.¹ The New England colonies were not parties to that alliance, but it cannot have failed to influence the Mohawks in their favor.

The English settlements were not only more scattered, but in other ways they had become more vulnerable since the Pequod war. The younger generation were without military experience. Hard as was the life of the New England yeoman, still it was no longer that stubborn and pitiless struggle by which Mason and his followers had been trained and proved. Wealth had increased, and the whole fiber of the New Englander, moral, political, religious, even in a

Military
spirit of
the settlers
weakened.

¹ Brodhead, vol. i. p. 744.

measure physical, was relaxed. It was indicative of a change of feeling that in 1669 the appointment to military Commissioners in Massachusetts ceased to be elective, and was vested in the General Court.¹ The citizen of New England no longer cared to elect the captain who commanded him in the field, as he elected the magistrate who administered justice, or the selectman who apportioned taxes. The increase of commercial prosperity brought with it another source of danger. It impaired the feeling of unity which at an earlier day had bound together the whole colony. The trader in the seaport town had little in common with the yeoman in a backwoods village. The vague rumor of an attack on an outlying plantation meant little more to a citizen of Boston than the tidings of a border raid to a burgher of Carlisle or Edinburgh. It needed time for those at the capital to grasp the real extent and nature of an Indian war upon the frontier.

While the Pequods, and, after their destruction, the Narragansetts, had been objects of fear and suspicion to the settlers, the alliance between the English and the Pokanoket Indians had been steadfastly maintained. The death of Massasoit did not seem to work any change. His son and successor, Wamsutta, visited Boston, was well received by the English, and took the name of Alexander, while a younger brother, Metacom, was in like fashion called Philip.² Soon after rumors came to the ears of the settlers in Plymouth which made them suspicious of Alexander's loyalty. A summons was sent ordering him to come to Plymouth to clear himself. It is said that he at first refused, but that when the message was backed by an armed force he gave way. He seems to have satisfied the English of his loyalty, and after a few days was permitted to depart. Before he was clear of the English territory he fell sick and died. That a savage, exposed to the temptations of a civilized town, should be seized with fever seems to need little explanation. But at least one New England chronicler sets his death down to humiliated pride, while vague rumors of foul play seem to have reached his countrymen.³ The latter may safely be set aside. Subtle and

¹ Mass. Records, vol. iv. pt. ii. p. 422.

² Plymouth Records, vol. iii p. 192.

³ There are two distinct stories as to the death of Alexander. Hubbard says that he was forced to go to Plymouth, regarded it as a great indignity, and died (p. 10). On the other hand, John Cotton, in a letter written to Increase Mather in 1677, concerning Hubbard's book, especially finds fault with this part of the story, and says that Alexander went

secret crime found no place in New England statecraft. But the mere existence of such suspicions shows how perilous were the relations between the two races.

Meanwhile the English were adopting towards the Pokanokets a policy dictated at once by desire for territory and considerations of defense. By repeated purchases of land they were isolating the Indians and hemming them in within certain reserved tracts. To assign lands to the natives and to make them inalienable was no doubt a humane policy, but at the same time it placed the whole future of the Pokanokets at the mercy of the white man. The spots chosen too were necks of land along the coast which might be easily guarded.¹

It has been often said that Philip saw the coming destruction of his race and deliberately made one decisive effort to avert it. It may be so. But it is at least as likely that he was galled by the perpetual sense of interference and restraint, and that his attack on the English was but an uncalculating outburst of headlong passion. In civilized states it may be true that revolutions spring up on small occasions but not out of small causes,² but the maxim cannot be adapted to the politics of savages. It is grossly unjust to the New England settlers to represent Philip as a patriot hero, lashed by constant wrongs into breaking the ties which bound him to the English. But it is at least equally unfair to lay all the blame on the innate barbarism and treachery of the savage. Placed as the two races now were, how could there fail to be perpetual dissension? The English cattle and swine trespassed upon the lands of the Indians and were killed. A fine was imposed. Then by steps, legal it may be, but wholly inequitable in the case of an illiterate and ignorant race, more land was taken under the pretext of compensation.³ Disputes too arose of that peculiar kind which are almost in-

peaceably and readily. He gives as his authority Major Bradford, who was in command of the party which conducted the chief (*Mass. Hist. Coll.*, 4th series, vol. viii. p. 233). Philip is said to have suspected poison (*Present State of New England*, p. 7). It is noteworthy that when Church went to treat with Ashawanks, a squaw-sachem, and produced a bottle of spirits, she showed fears of foul play (p. 81).

¹ This is very clearly set forth in an extract from a letter written by Winslow, the Governor of Plymouth, in 1676, published by Hubbard (p. 123).

² Aristotle, *Politics*, xv. 4, 1, *Γίγνονται μὲν οὖν αἱ στάσεις οὐ περιμικρῶν ἀλλ' ἐκ μικρῶν*.

³ These grievances are very graphically set forth in a MS. quoted by Mr. Arnold (vol. i. p. 394), and assigned by him, I knew not on what authority, to Philip. Authentic or not, it is a good exposition of the case.

evitable when a civilized and a barbarous race have dealings with one another. An Indian chief made submission, intending thereby to pay to the King of England that vague fealty which he owed to his own chiefs. The colonial government interpreted it as a cession of his territory to themselves.

Whether or no Philip was drawing together the remnant of the different tribes for a concerted attack, it is at least certain that alarming rumors and a vague sense of danger spread through all the English colonies. In 1669 Lovelace, the Governor of New York, sent a message to Rhode Island warning the settlers that Ninigret and the Long Island Indians were plotting mischief.¹ Ninigret's friendship had been always under suspicion. He was twice summoned to Rhode Island, but no charge was established against him.² Nevertheless there were alarming rumors of communications between him and Philip. The government of Rhode Island sent information of this to Plymouth and to Connecticut.³ Other warnings had also reached Connecticut, which led them to send an embassy to confer with Ninigret. The result, as it would seem, was satisfactory.

During the next year reports reached the English that Philip's men were making preparation for war.⁴ What followed is somewhat obscure.⁵ Apparently the confederated colonies sent representatives to treat with Philip. He refused to meet them, and his language was so hostile that the government of Plymouth was eager to attack him. The other colonies however withheld them, and with some trouble persuaded Philip to meet the English ambassadors at Taunton. There a treaty was drawn up by which Philip pledged himself to give up all his guns to the English.⁶ Those who negotiated the treaty must have known little of the Indians if they hoped for its fulfillment. Even if Philip meant to carry it out loyally, how could he enforce it? Was it likely that all the warriors of his tribe would submit to be stripped of

¹ Lovelace's letter is in the R. I. Records (vol. II. p. 263).

² R. I. Records, vol. II. pp. 265, 280.

³ *Id.* pp. 267, 274. There is an odd mistake, either a misprint or a clerical error, in the first of these passages. The letter is headed "*from* the Governor of New Plymouth." This manifestly should be *to*.

⁴ Hutchinson, vol. I. p. 277.

⁵ The only clear account of these proceedings is that given by Hutchinson. He had in all likelihood further documentary evidence than is now accessible, and I have therefore ventured to follow him.

⁶ This treaty is given by Hutchinson (vol. I. p. 279) and by Hubbard (p. 22.)

that which had now become almost a necessary of life? The Indians needed firearms almost as much to earn their food as for defense. The country was no longer as it had been before the forest had been stubbed up for corn land, and the valleys enclosed for pasture, when every thicket swarmed with wild-fowl and every glade with deer, and a bow and arrow or a snare sufficed the huntsman. Seventy guns were handed in, a poor compensation for the irritation caused and the dangerous precedent of a treaty broken with impunity. The government of Plymouth renewed their demands, and took measures to enforce them by appointing a council of war. The first proceeding of the council was to summon Philip to appear and clear himself. Thereupon the Court of Massachusetts intervened. A fresh treaty was made, by which Plymouth apparently gave up the question of the guns, while Philip acknowledged the authority of the King of England and that of the government of New Plymouth, pledged himself to pay a tribute of a hundred pounds in kind and five wolves' heads a year, and promised not to make war without permission of the Governor.¹

For the next three years Philip's conduct seems to have been free from suspicion. But in 1674 Sausamon, an Indian convert, told the Governor of Plymouth that mischief was brewing. There was naturally no good feeling between the native chiefs and the converts. Over and above the contempt which the untamed savage felt for one who had bowed his neck to the yoke, the native sachem looked on the "praying Indians" as a mediæval king looked on the priest who used his clergy to free himself from civil jurisdiction.²

Soon after this Sausamon's corpse was found in a pond, bearing marks of violence which clearly pointed to murder. Three of Philip's followers were apprehended, and hanged on the testimony of an Indian who swore that he had seen the act done.³ It is said, but on evidence of no great credit, that one of the prisoners confessed the crime.⁴

Philip's conduct at once showed that he regarded the affair as a declaration of war. That has been looked upon as in itself an evidence of guilt. That Sausamon was murdered by Philip's orders is likely enough. But it would be also natural that Philip,

¹ For these proceedings see Plymouth Records, vol. v. p. 76.

² *Indian Chronicle*, p. 100.

³ Hubbard, pp. 14-6; Plymouth Records, vol. v. p. 167.

⁴ Hubbard is the only authority for this.

even if innocent, should have dreaded a trial, nor can we tell how far he was hurried into hostilities by the will of his people.

Philip's usual abode was at Mount Hope, a promontory jutting out into the head of Narragansett Bay. The nearest English settlement was Swansey, a prosperous village of some forty houses, in Plymouth, just upon the borders of Rhode Island.¹ Almost immediately after the execution of the three murderers news came to Plymouth that the Indians were moving about Swansey in a threatening fashion. The magistrates thereupon sent to Philip, warning him to keep the peace.² A like message too was sent from Boston.³ But before the Massachusetts messenger could arrive the blow had fallen. On Sunday, the twentieth of June, the men of Swansey were alarmed by an inroad of Indians, destroying cattle and plundering houses, but, as it would seem, making no attempt on human life.⁴ The settlers were either timid or supine, and we hear of no resistance. Worse soon followed, and when the messengers from Massachusetts drew near the settlement they found their track strewn with the mutilated bodies of their countrymen.⁵ Tradition says that Philip drew an evil omen from this, holding, according to an Indian superstition, that the side which first lost a life would be victorious.⁶

Troops were at once hurried up from Plymouth and Boston. A competent land force supported by two or three small vessels might have hemmed Philip in on the neck of Mount Hope, and perhaps ended the war at a single blow. But the English had no means of cutting off the natives in their canoes. Philip's warriors crossed the bay and struck north into Plymouth, carrying destruction into the settlements of Taunton, Dartmouth, and Middleborough.⁷ There is

¹ Hubbard, *Table*.

² *Id.* p. 16.

³ See below, p. 18.

⁴ Church, p. 15.

⁵ Batten's Journal, June 25. This journal was sent to England addressed to Sir Thomas Allen, and is among the Colonial Papers, in manuscript. Proclamation of the Court of Massachusetts (*Col. Papers*, 1675, Dec. 7). There seems some doubt when the first Englishman was actually killed. The most authentic statement is that made by the Plymouth government in their report to the Federal Commissioners. It is there stated that Thomas Leighton was the first victim, and that he was killed on Thursday, June 24.

⁶ Hutchinson, vol. i. p. 286, *n.* The Indians seem to have held the reverse of the Highland superstition:

"Which spills the foremost foeman's life,
That party conquers in the strife."

Lady of the Lake, Canto iv. stanza 6.

⁷ Hubbard, pp. 19, 133; Church, p. 6.

no definite record of their chief's movements during this time. We next hear of him about three weeks after his escape, entrenched in a swamp at Pocasset. His present stronghold stood opposite Mount Hope, on the north side of the water. Here again Philip might have been effectually hemmed in. The chance was lost, seemingly through the overconfidence of the English commander. The force at his disposal was fully large enough to have set up an effectual blockade. "It was judged that the enemy being brought into a pound, it would be no hard matter to deal with them, and it would be needless charge to keep so many companies of soldiers together to wait upon so insignificant an enemy."¹ Accordingly the blockade was entrusted to one company of a hundred men. To break through a beleaguering force was a manoeuvre for which the craft of the savage specially fitted him.² Philip made his escape, and with his followers plunged into the forest towards the Connecticut.³

There he had allies awaiting him. Upon the first news of hostilities the Nipmunks, a tribe in that neighborhood, had taken arms. An embassy sent to treat with them, proceeding by a troop of horse, was attacked from an ambush, and driven back.⁴ Brookfield was besieged for three days, and the craft of the Indians showed itself in contriving a storm which they sent headlong among the wooden houses, and which would in all likelihood have destroyed the town but for a timely sally.⁵ The union of Philip's force with the Nipmunks rendered it well nigh impregnable. Fortunately a troop of fifty men had been sent out from Boston under Willard, not specially to the relief of Brookfield, but to act generally towards the west. News reached them of their countrymen's strait. They turned around and reached Brookfield before the assailants could do any further mischief.

The war then passed to the settlements on the western frontier. It was not till then that the attack had not been first made in the frontier. At evening since falling upon the colony from the west, we have annihilated every settlement there before help could reach them, and would have made the valley of the Con-

¹ *Massachusetts*, p. 24.

² *Life of an Indian of the Algonquin and Iroquois* (p. 24).

³ *Massachusetts*, p. 24.

⁴ *Mass. Historical Society*, p. 24.

⁵ *Massachusetts*, pp. 24, 25.

necticut a wilderness. As it was, the tide of onslaught flowing from the east gave time for the government at Boston to understand the danger and to take measures for meeting it. Yet as it was the blow fell heavily on the townships by the Connecticut. The unsupported settlements of Northfield and Deerfield were abandoned.¹ At the latter place the harvest had not been fully gathered in. A picked force of ninety men was sent out to guard the wagons and secure the rest of the crop. They fell into an Indian ambush, from which not ten escaped alive. Among the tragedies of the war the loss of this force, "the very flower of Essex," seems to have held a foremost place in Puritan tradition,² and the name of Bloody Brook commemorated the spot at which they were cut off. Springfield was beset and nearly forty houses burnt. Doubtless the whole place would have perished but for the timely arrival of an armed force from Westfield.³ The Sabbath rest of Hadley was broken by an onslaught memorable in New England story for the fashion in which it was repelled. The settlers were panic-stricken, when suddenly they were rallied by an unknown leader, whose resolution and soldierly skill more than made up for any lack of formal authority. The enemy was beaten off, and the deliverer vanished as quickly and as mysteriously as he had appeared, but not before a few had recognized the old Roundhead soldier Goffe. The incident might have slumbered forgotten in a New England chronicle, if it had not been adopted and immortalized by the great master of romance.⁴ There is nothing unlikely in the tradition. Yet one cannot forget that such appearances figure as common subject-matter in all legends, and that the people of New England were in that frame of mind when such a tale is easily imagined and eagerly believed.

For a while it seemed as if the stream of invasion might pour along the Connecticut valley into the main body of the settlements.

Apparent danger of Connecticut. All the adult males of each town were put on guard duty. Public officials were exempted, and the habits and wants of the colony are well illustrated by the extension of that favor, not only to ministers of religion, but to

¹ Hubbard, p. 37 and Table; Mather, p. 7.

² Hubbard, p. 38.

³ *Id.* p. 134.

⁴ The story is told, it will be remembered, by Major Bridgnorth to Julian in *Power of the Peak*. There seems to be no extant authority for it earlier than Hutchinson (vol. I, p. 218). He mentions it as a tradition. As Mr. Palfrey suggests, regard for Goffe's safety may have led contemporary writers to keep silence.

millers and schoolmasters.¹ In October the government of Connecticut received a warning from New York that the enemy had designs against Hartford.² But in truth the resolute defense of the upper townships had broken the force of the attack. The habits, temper, and resources of the savage ill fitted him for definite and sustained operations in any one quarter. After the relief of Springfield and the successful defense of Hadley, Philip and his warriors seem to have turned eastward and spread abroad through the forests, waiting for spring to renew their attack.³

How men at Boston thought and felt during that terrible summer may be learnt from a report written by a private citizen in the form of a diary and sent to England.⁴ It shows that they passed through the three stages which seem natural to Englishmen at such times: first contemptuous indifference, then unreasoning despondency and panic, lastly a stern determination to prevail. At the outset the affair seems to have been regarded as a trifling outrage by a few marauders. Then the ambassadors returned, who had seen the mangled corpses of their countrymen strewn along the Swansey road. For weeks there was no certain knowledge of the extent of the blow or of the numbers and position of the enemy, "no post, but flying rumors." As we have so often seen, every calamity was regarded by the New Englander as a direct punishment for the breach of some moral precept, wholly remote it might be from the special conditions which had given rise to the misfortune. In November a day of public humiliation was specially ordered. The matters to be repented of were formally enumerated,⁵ and the list is interesting, as it shows what were to the mind of the Puritan the crimes which brought a national judgment with them. The neglect to catechize the young, excess in apparel, the wearing of long hair, "rudeness in worship," the practice of leaving the church before divine service had ended, all these were among the sins which had provoked God to send the tomahawk and scalping-knife into the villages of New England. Unhappily the rulers and teachers of Massachusetts did not wholly confine themselves to such harmless forms of superstition. Their recent neglect of the sacred duty of persecution had manifestly provoked God to wrath, and must be amended. Not only was the permis-

¹ Connect. Records, vol. ii. p. 361.

⁴ See note 5, p. 105.

² *Ib.* p. 377.

⁵ Mass. Records, vol. v. p. 99.

³ Hubbard, pp. 44-7.

sion of Quaker meetings among the sins to be repented of, but henceforth every person who should be found attending one was to be fined five pounds, imprisoned with hard labor, and fed on bread and water.¹

It was not to be expected that men in this frame of mind should show a sobriety of judgment for which Englishmen have never been conspicuous at such seasons. Troubles, some of which cannot be avoided when a civilized and a barbarous race are thrown together, while some were due to the cupidity and aggressiveness of the English, were all summarily set down to the inherent wickedness of the savage. At one time the head gaoler at Boston with difficulty saved two Indian prisoners who were waiting punishment, from mob law.² Two others at Marblehead, near Salem, fared worse, being publicly killed by the women of the place.³ When the news came to Boston of the destruction at Medfield, a village some eighteen miles distant, thirty or forty lawless men assembled, intending to go to Deer Island and massacre all the converts there.⁴ At another time two Indians who had come from Ninigret to treat were returning with a safe conduct, when they were seized and put to death upon a private feud.⁵ Those who had in any way befriended the natives shared the danger. Gookin, a man of blameless character and eminent public services, could not safely show himself in the streets of Boston.⁶ As is usual, the feeling showed itself most strongly where there was least provocation and least excuse. As soldiers Englishmen have seldom yielded to the demoralization of savage warfare. As rulers or judges they have seldom lent themselves to the public outcry for revenge. If they have erred, it has been at times when the soundest judgment and the strongest nerve might be forgiven for failure. The real guilt has lain in the wicked and reckless words of men who had no share in the danger, but who prostituted the name of patriotism to stifle every

¹ Mass. Records, vol. v. p. 59.

² Hutchinson tells this (vol. i. p. 296, n.), giving as his authority a letter written by a colonist to a friend in England.

³ This is stated by Hutchinson (vol. i. p. 307, n.), on the authority of a letter written by Increase Mather.

⁴ Gookin's *History of the Christian Indians*, p. 494.

⁵ *Present State*, p. 157.

⁶ *Ib.* p. 153. If any one wishes to understand the stupid malignity with which Gookin and his converts were abused, let him read the letter from one Mary Prav of Providence to Captain Oliver of Boston, October 20, 1673 (*Mass. Hist. Coll.*, 5th series, vol. i. p. 103).

plea for justice and every protest against cruelty. As it was with India and Jamaica, so it was in Massachusetts. Some of the operations of the war might be condemned by modern opinion. Two certainly would be, one as cruel, the other as treacherous. But we must remember that they were done in an age which had seen the campaigns of Tilly, and had yet to see the devastation of the Palatine. No doubt neither the military commanders nor the civil rulers were wholly blameless. Among the former a conspicuous instance was Moseley, a ruffianly old privateer from Jamaica, whose undoubted courage and some share of military skill earned toleration for the vices which he had learnt among buccaneers and slave-drivers. On one occasion he fell upon a peaceful and prosperous village of Christian Indians near Concord, and carried them off in a body, while his men plundered, not only the goods of the natives, but the stores which had been collected by Hoare, the benevolent missionary who presided there.¹ On another occasion, when his military superior trusted an Indian spy further than Moseley thought discreet, his conduct was little short of mutinous.² Another incident, told by Gookin is a good illustration of the state of affairs. A soldier, in defiance of strict and special orders, shot an Indian who had a safe conduct. For this he was put on his trial. The bench did their utmost to secure a conviction, but by the persistency of the jury, helped, Gookin hints, by the perjury of the witnesses, he was acquitted.³ In all these matters Gookin is never carried away by his righteous wrath into indiscriminate accusations. The worst charge which he brings against the government of Massachusetts is, not that it encouraged or abetted wrong, but that it was timid and lukewarm in suppressing it.

The contrast between the combatant and the noncombatant is well illustrated by two of the principal chroniclers of the war. Hubbard Almost immediately after the campaign William Hubbard and Church. bard, the minister of Ipswich, wrote a history of it, which was in some measure accepted and vouched for by the government of Massachusetts. Hubbard was plainly a credulous man, and the redundancy of his style often savors of the pulpit. Yet his book has substantial merits. It is a vigorous, graphic, and well arranged tale of the war. To compare him with Winthrop would be absurd, yet the work of the weaker man has a

¹ *Christian Indians*, p. 495.

² *Id.* p. 302.

³ *Id.* p. 475.

use, if not a merit, which is wanting in that of the stronger. Among the fathers of New England, whether as a statesman or writer, Winthrop stood alone. Hubbard shared to the full in the prejudices and errors of those about him. Winthrop's work is often a protest against public opinion; Hubbard always gives a faithful reflection of it.

Some forty years later Benjamin Church of Plymouth dictated to his grandson a lively, vigorous, and somewhat egotistical account of his own exploits. Church was one of the most daring and successful of those captains who carried on an irregular warfare against Philip. There is a marked contrast between the tone of the student writing from his library and that of the man of whom some would say that his trade was bloodshed. Hubbard's rancorous hatred of Indians for being Indians breaks out at every page. They are "treacherous villains," "children of the devil," "faithless and ungrateful monsters." Once indeed the stout bearing of Canonchet after his capture calls for the doubtful praise that "some old Roman ghost had possessed the body of this western pagan." But almost in the next line he becomes "a damned wretch."¹

Church, on the other hand, writes of his enemies with the frank generosity of a soldier, and with a just estimate both of their courage and their military skill. He could not only fight Indians when fighting was needed, but it is clear that in negotiation with them he knew how to win their hearts by sympathy and goodfellowship. There is no more graphic passage in his book than that in which he tells how he went to treat with Ashawanks, the squaw-sachem of the Narragansetts, and how her distrust gradually vanished as they sat over their cups by her camp fire.²

The unreasoning distrust and antipathy with which the settlers viewed all Indians brought with it other evils besides the perpetration of injustice. It robbed the English of a valuable military instrument. As Gookin says, the settlements of the praying Indians "might have been improved as a wall of defense about the greatest part of the colony of Massachusetts."³ If Gookin's testimony be discredited as that of an enthusiast, Church at least may be trusted as a competent and

¹ Hubbard, *Postscript*.

² Church, p. 82.

³ *Christian Indians*, p. 436.

practical soldier. His narrative is full of incidents which illustrate the value of the Indian allies for scout-work and irregular fighting. The real difficulty throughout the war was to find the Indians, not to deal with them when found. The craft of the Indians in woodland fighting could only be baffled by men who understood it as no English soldier did. Of this Gookin gives more than one instance. Once, at the beginning of the war, a party of hostile Indians disguised themselves like Macduff's soldiers with green boughs, so effectually that no civilized eye could discern them.¹ At other times English soldiers ranging the woods were saved by their Indian guides from seemingly trivial oversights in their apparel, a pair of creaking shoes, or breeches so dry as to rustle and betray the wearer's presence.² Yet, instead of utilizing the Indian allies to the utmost, civilians denounced them as traitors who were supplying the enemy with ammunition and warning them how to avoid the English.³ Nor were such ashamed to hint that wholesale extermination would have been the best policy.⁴

It was manifest from the outset that Philip and his followers were not the only source of danger. Though there had never been open war between the Narragansetts and the English, yet their relations had always been beset with suspicion and distrust. In the Pequod war, as we have seen, it needed all the skill and devotion of Roger Williams to keep the Narragansetts neutral. The same policy was now attempted, but with less success. In July Commissioners were sent from Massachusetts to the Narragansett country, accompanied by an armed force. The result, and indeed the object, was not so much to draw up a treaty as to enforce neutrality. The Narragansetts pledged themselves to deliver up any of the Pokanoket Indians who should be found in their territory, and to use all acts of hostility against Philip and his confederates as long as they were at war with the English. For the fulfillment of these promises they gave four hostages. At the same time the Commissioners promised rewards for the capture

Treaty
between
the Eng-
lish and
the Narra-
gansetts.

¹ *Christian Indians*, p. 441.

² *Ib.* p. 442. Hubbard, much as he dislikes the Indians, admits their utility (p. 66).

³ Mrs. Pray's letter.

⁴ I do not think that is an unfair representation of Mrs. Pray's view. Her words are, "What cause have hundreds to rue the treatings with Indians! Had the country as one man broke out like a fire upon them, we might have known the worst or best by this time. Her whole tone is most truculent.

or death of their enemies, forty coats for Philip and two for each of his subjects if taken alive, or half as much for the heads of either.¹

At the same time the various colonies took other measures to cripple their enemies. Each legislature wholly forbade the sale of guns or ammunition to Indians. Plymouth even went so far as to make it a capital crime.²

Under any circumstances it could be hardly hoped that a tribe of savages could keep such terms as those imposed on the Narragansetts, humiliating in themselves and extracted by force. The condition of the Narragansetts at this time made it wholly impossible. They owned no central authority, but were broken up under six different sachems.³ It could not be that help would be wholly withheld where all the claims of blood and common interest demanded it. It may be even doubted whether the Narragansetts could have refused it if they had wished. The English could barely protect their own outlying settlements. Was it likely they would spare a force to protect savages whom they despised and distrusted? The unhappy Narragansetts were between the upper and the nether millstone. Necessity may have justified the New Englanders in treating them as enemies; there is nothing to justify the advocates of New England in denouncing them as traitors.

During the autumn of 1675 rumors reached the English that the Narragansetts were secretly helping Philip by giving food and shelter to the women of his tribe,⁴ and it was even said that some of the younger warriors among them had been seen with wounds.⁵ The Federal Commissioners thereupon summoned the Narragansett chiefs to surrender those of Philip's followers who were with them. Canonchet, the chief of the Narragansetts, came to Boston and promised compliance. Ten days were granted: the time expired, and no prisoners were given up. The Commissioners thereupon with little delay, and seemingly no dissent, resolved on war.

¹ The terms of the so-called treaty are given verbatim by Hubbard (p. 21), and by Hutchinson (vol. i. p. 289, 2).

² Mass. Records, vol. v. p. 45; Connect. Records, vol. ii. p. 352; Plymouth Records, vol. v. p. 173.

³ This is plain from the terms of the treaty.

⁴ Acts of Commissioners, vol. ii. p. 361.

⁵ Hubbard, p. 48. Mary Pray also mentions this.

Great as were the hardships of a winter campaign, yet it seemed needful to strike an immediate blow. During the winter months it was impossible for the savages to carry on their peculiar mode of warfare, to make rapid marches through the snow, or to lurk unseen in the leafless woods. If the settlers neglected to use this time of grace, they might find themselves when summer returned beset by the whole united force of the Pokanokets and the Narragansetts. To deal with Philip at a single blow was now impossible, but it might be tried with his ally. The Federal Commissioners resolved on war, and a joint force of over eleven hundred men was raised from the three colonies, five hundred and twenty-seven from Massachusetts, three hundred from Connecticut, and one hundred and fifty-eight from Plymouth.¹ There were also one hundred and fifty friendly Indians.² Josiah Winslow, the Governor of Plymouth, was appointed to the chief command. The Narragansetts were not to be attacked until their hostility was manifest. In the meantime the force was to act in detachments wherever the enemy might be found.

It was clear from the outset that the operations of the army would be hindered by drawbacks common both to federal armies and to bodies of citizen troops. The contingent of each separate colony had its own special interest. It is plain too that it was hard to enforce discipline, and the Connecticut troops in particular were impatient of prolonged service.³

The position of the enemy was not unlike that of Philip at Pocasset. They were established in a wooden fort standing itself on dry ground, but surrounded on all sides by a swamp. In ordinary weather this would have been impassable, but a hard frost had converted it into solid ground, while at the same time it was free from snow. Yet even so the English troops could not make their way through without the guidance of a friendly Indian. On the nineteenth of December the federal force reached the swamp. To beleaguer an Indian fort was to allow the garrison to bring into play the artifices in which they excelled, while in hand-to-hand fighting the natives had never proved a match for the English. The savages

¹ Acts of Commissioners, vol. ii. p. 365.

² So at least Trumbull says, but I can find no contemporary authority.

³ Connect. Records, vol. ii. p. 394; Plymouth Records, vol. v. pp. 189, 193; *Present State* p. 194.

⁴ The taking of the fort is told by Church (pp. 55-9) and by Hubbard (pp. 50-6).

seem to have understood the art of flanking the one entrance to the fort with an outwork. But the gateway, though screened, was but imperfectly blocked. The English rushed in under a fire, the severity of which was shown by the immediate loss of six captains, picked off in all likelihood by the Indian marksmen. The features of the attack were in many ways like those of Mason's victory by the Mystic. While the main body forced their way in at the entrance, another force scaled the palisade and took the enemy in the rear. For three hours the battle raged within the enclosure. Then the light of a December day waned, and the English could no longer tell friend from foe. Mason had fired the Pequod wigwams when all other means of dislodging the enemy had failed. Winslow now, with far less excuse, did the like. The Pequod fort was only occupied by fighting men. Here women and children were consigned to a cruel death. Nor can one see how in this case there could be any plea of necessity. The English might have kept guard through the night either within or without the fort, with no chance of any worse result than the escape of a few stragglers. Even as a matter of strategy Winslow was blamed, seemingly with justice, for destroying buildings which would have furnished his own men with the shelter which they sorely needed.¹

The overthrow of the Narragansetts changed the whole aspect of the war. Till then it seemed possible that the English might be brought face to face with the combined forces of the two Indian nations. From that point onwards the war became a war of skirmishes. The forces of the Indians were scattered through the English settlements. Strategically it was like a civil war, where there is no distinct territorial division, but where each party can put forth some show of force in every district. Such a war leaves an impress of misery far more widespread and scarcely less acute than the inroad of an invading army. During the spring and summer of 1676 Philip did but strike at his foe with the hopeless and vindictive fury of a wild beast hemmed in and overmatched. There could be but one end to such a struggle. Let the English only keep their foes at bay, and time would do the rest. The Indian had to abandon such resources as he possessed, the chase and his squalid and thriftless husbandry, to live on the pillage of the settlers. The

Altered
character
of the war.

¹ Church, p. 57.

land, and a large part of the unmolested territory along the coast; even if the largest suffered, the loss would only cut short the exports to Virginia and the West Indies. And in the matter of men the English could stand the strain of war far better than their enemy. When Roger Williams made a fruitless effort to play the part of a mediator, he warned the Indians that there were yet ten thousand men in Boston, and if they were destroyed, the King of England could send ten thousand more.¹ From Andover on the north to Narragansett Bay Philip's warriors, helped by Canonchet and the survivors yet left to him, swept down upon village after village. Connecticut had from the outset been wiser than her neighbors in placing confidence in the friendly Indians. In the autumn of 1675, when panic was at its height, the Court issued an order enjoining its citizens to do no wrong to any native ally.² The Mohicans and Pequots were faithful to their benefactors, and with their help Connecticut kept the enemy almost wholly beyond her borders.³ But with that exception the blow fell impartially on the various colonies. In Massachusetts five towns were destroyed, mainly by fire. The settlers sought to break the force of the blow by withdrawing the population from the more exposed towns and gave the like counsel to the outlying settlements in the Connecticut valley. In this policy Connecticut followed: it is guided by the advice of the parent colony.⁴ The settlements in Vermont are less definitely recorded. There is no government witness the citizens of Taunton to abandon their town, but were met with a resolute refusal. "We will be as bold as to stand in the way of the name of God and in the way of Christ in the place and hereby much diffidence is conceived. Taunton and Providence were wholly destroyed, and the inhabitants however made their escape, and were saved in Newbury and Portsmouth, which were effectually rescued by their aid and aid. The memory of past wrong was forgotten. Edmund Blount indeed took no part in the operations of the several states, but confined himself to defensive operations

¹ *Massachusetts in the Seventeenth Century* (p. 223). There seems to be some doubt as to the accuracy of this statement.

² *Connecticut Records*, vol. 2, p. 274.

³ *Christian Indians*, p. 437.

⁴ *Connecticut Records*, vol. 2, pp. 437, 438.

⁵ *Massachusetts in the Seventeenth Century*, the Governor (Hinsley Papers, *Mass. Hist. Coll.*, vol. 2, p. 23).

⁶ *Massachusetts in the Seventeenth Century*, vol. 2, p. 533; Randolph to Coventry (*Col. Papers*, vol. 7).

on her own account. But after the Narragansett fight the wounded soldiers were sent to the two island towns.¹

But though the summer of 1676 was a period of suffering, yet it must have been manifest that the end was near. Gradually the foe dwindled to a few hunted bands of marauders.

Death of Philip. The pursuit of Philip is described with graphic energy by the principal actor, Church.² During the spring of 1676 nothing certain was known of the chief's movements. But by the end of July he was known to be working his way back to his old home at Mount Hope. Church was at once upon his track. At one time he actually overtook Philip, and would have fired on him, but was checked by his guide, who mistook or professed to mistake, the chief for a friendly Indian. Being cumbered with prisoners, among them Philip's son, Church had to desist from the pursuit and return to Plymouth. But in a few days he went out again. He now learnt that Philip was actually at Mount Hope, hidden with some of his followers in a wood protected by a swamp. Church relied mainly on his Indian allies. The pursuit, carried out with all the cunning which Church had learnt from his associates, reads like the chase of some crafty wild beast. Pairs of picked marksmen, an Englishman and an Indian together, were placed in ambush at the edge of the swamp, while Church with his main body beat the wood. Carefully planned though the scheme was, it nearly failed. A sudden alarm led the English to fire a volley prematurely. Philip and his followers fled. Most of them escaped, but the chief himself came within reach of one of the outposts, and was shot down by his countrymen. The dead body was quartered and the head exposed on a pole at Plymouth. The wampum ornaments which were on Philip when he fell were sent to England as a present to the King.³

The treatment of the conquered varied in the three colonies. The rulers of Connecticut showed the same conspicuous humanity and moderation which had marked their dealings with the friendly Indians. In November three commissioners were appointed to gather together all prisoners that were in the hands of the Mohicans and Pequods, and to settle

¹ Church, p. 11. So we find an entry in the Connect. Records (vol. iii. p. 24), that ten pounds has been voted to Roger Williams for courtesy to the army.

² Church, pp. 37-45.

³ *Col. Papers*, 1677, June 26.

their future mode of life. Their own wishes were to be considered as far as was consistent with safety. They were to be quartered in villages where they would be under control, and were to pay a tribute. The younger Indians were to be apprenticed for ten years, or if below sixteen till they should reach twenty-six. They were then to be returned to their parents, subject to their taking an oath of fidelity to the English. These concessions were not extended to any guilty of murder. What constituted that crime is not defined, but one would suppose that it meant, not taking life in the field, but massacre in cold blood.¹

In Plymouth and Massachusetts the prisoners fared worse. Some who were thought to have broken faith with the English were put to death. We may be sure that in some cases this was harsh measure, since it was more than once condemned by Church, a man nowise given to ill-judged lenity. Many of the prisoners both in Plymouth and Massachusetts were kept as slaves, and more perhaps sent to the West Indies. This mode of dealing with them was adopted at the very outset. This too was condemned by Cotton as likely to make those who were still at liberty desperate. Among the important prisoners was the son of Philip, a lad of some years' age.² Even the fresh memory of his father's misdeeds ought not to have blotted out earlier recollections. Plymouth would scarcely have lived through its early years of struggle and suffering but for the loyal friendship of Massasoit. With the men who had themselves heard that tale from the lips of Bradford and Winslow, whose services might have saved the grandson from so ignominious a doom. Yet the only question which seems to have exercised his captors was whether this sentence was not too merciful. It was matter of debate among the rulers of Plymouth whether Philip's son was not "a child of death." The question was referred to the clergy. The opinions of three ministers, including John Cotton and Increase Mather, are extant.³ Cotton is of opinion that although a precept in Deuteronomy explicitly forbids killing the child for the father's sin, yet precedents for such a course may be found. The children of Saul, Achan, and Haman perished with their parents, even though they were too young to have shared their guilt. Mather pointed out, though David had spared the infant Hadaad, yet it might

¹ For these arrangements see *Connect. Records* (vol. ii. p. 481).

² His age is mentioned by Church (p. 117).

³ They are to be found in the *Mass. Hist. Coll.* 4th series, vol. vii. pp. 689-901.

have been better for his people if he had been less merciful. For the credit of New England more humane counsels prevailed.

Nor did the policy of enslavement pass without challenge. In a letter to the Federal Commissioners Eliot used the prophetic words: "To sell souls for money seemeth to me dangerous merchandise."¹ Probably the writer did not himself enter into the full meaning of his words. To him the main danger was that the spiritual welfare of the prisoner might be endangered under a Popish master. But he set forth a truth which New England statesmen may at times have denied, but which New England herself never wholly forgot so long as the need for it remained.

A letter from Eliot, written seven years later, throws a tragic light on the fate of some of these captives. A number of them Fate of the captives. were deported, but found no sale at all, and at length were left at Tangiers. In their misery their thoughts turned to him who had been so true a friend to their race, and they contrived to send a message to Eliot begging him to redeem them.²

In the meantime the settlers were exposed to an attack in another quarter, so distinct as to form virtually a separate war. War in the north-east. While Philip was working havoc along the Connecticut, the settlements north of the Piscataqua were likewise overwhelmed by an invasion of savages. The state of affairs further south may have emboldened the Indians on their north-eastern frontier. But there is nothing to show that they were acting in concert with Philip, and there is at least good reason to believe that they would in any case have attacked the English. Philip's war was largely due to causes which, as things stood between the two races, could scarcely have been avoided. The northern war was brought on by the mingled folly and brutality of the English.

Whatever may have been the failings of the Puritan settlers, they cannot be charged with wanton and purposeless cruelty. Hostilities in Maine in 1675. Greed in despoiling the natives of their land, unreasonable and unjust suspicion in anticipating attacks, harshness in punishing them, of none of these can we acquit the New Englanders. But those unprovoked crimes of brutality which have so often in a moment converted a friendly and unsuspecting tribe

¹ Acts of Commissioners, vol. ii. p. 451.

² Letter from Eliot to Boyle, Nov. 27, 1683 (*Mass. Hist. Coll.*, 1st series, vol. iii. p. 180).

was understood by the Indians as a summons to come and deliver up their arms, and they at once answered by war.¹ Nor was that all. Major Waldron, the chief settler at Dover, and a magistrate there, granted a license to a man named Laughton authorizing him to arrest any Indian who had been guilty of murdering an Englishman. This Laughton abused by kidnapping and selling into slavery natives who were friendly to the English.²

Happily for the settlers, they were saved from the fruits of their own folly by the enemy's lack of resources. By Christmas the Indians were reduced, more by famine than by loss in the field, to propose terms of peace.³

This agreement freed the settlers from war through the spring and summer of 1676. By that time scattered bands of Philip's discomfited followers straggled northward, and sought to renew the contest beyond the Piscataqua. Prominent among them were three prisoners who were confined in Dover gaol awaiting their trial, but contrived to break out and stir up war.⁴

The next incident of the war was unfortunately preserved only by oral tradition. But in such a matter it is almost certain that there would be a bias against the Indians and in favor of those who acted for the English.⁵ The negotiations of the previous autumn had been carried out by Waldron, the chief resident of Dover. A body of four hundred Indians now met at his house. There is nothing to show what was their errand, whether to negotiate or to make submission. But it is at least clear that their purpose was not openly hostile. Among them however were seen some of the fugitives from Philip's force. Two companies had been sent from Massachusetts, under Syll and Hathorn, to assist the northern settlers. The story as handed down to us inclines one to think that they now proposed to fall upon the Indians, and that Waldron suggested an expedient which should satisfy his colleagues and in some measure avoid the guilt of treachery. The whole force of Indians was invited to a sham fight. When they had emptied their muskets they were suddenly surrounded, seized, and disarmed. The native Indians were released: those who were identified as Philip's followers were

¹ Hubbard, pt. ii. p. 35.

² *Id.* p. 29.

³ The terms of the peace are not recorded. Hubbard mentions it (pt. ii. p. 27). It is also referred to in *Mass. Records* (vol. v. p. 72).

⁴ Hubbard, pt. ii. p. 29.

⁵ The only full account of this proceeding is given by Belknap (p. 75).

sent to Boston as prisoners, and shared the fate of their countrymen. As to the morality of the proceedings there can be hardly two opinions. The utmost that any apologist of Massachusetts can suggest is that the English leaders may possibly have suspected treachery and anticipated the blow.¹ One can attach little weight to a plea which is first urged nearly two centuries after the event. There may indeed be some doubt as to where the special responsibility of the act lay. To say nothing of Laughton's misconduct, Waldron's proceedings at a somewhat later stage of the war hardly allow one to think him incapable of such conduct. That the Indians reckoned him their betrayer is clear. Thirteen years later he was ensnared in his own house by a pretended show of friendship, and was then hacked to pieces by the tomahawks of his foes with words which plainly showed that they deemed it the execution of a traitor.²

Morality apart, the impolicy of the measure became at once evident. Hitherto the English in all their dealings with the barbarians had at least so acted as to justify confidence in the letter of their bond. Treaties may have been harshly and unfairly interpreted. But in no case before had an agreement been used as a screen for an attack, to be openly thrown aside as soon as it had served its turn. And, despite vague denunciations of Indian treachery and untruthfulness, the natives had in the main shown a wish to abide by their treaties. There had been many suspicions of intrigues and treasonable schemes. It had often been found difficult to bind down the Indians to the specific performance of all that they had promised. But with them, as with the settlers, a treaty had never been an absolute nullity. Henceforth during the Eastern war the savages seem to have violated their engagements with no feeling but cynical contempt for those whom they duped.

The English policy was not slow in bearing its appointed fruit. One Mogg, a leading chief in the neighborhood of Penobscot, came to the English with offers of advice as to the conduct of the campaign. By his consent a force was dispatched into the wilderness. If it was intended that the invaders should be cut off the plot failed, and they returned after no worse evils than a profitless march over frozen streams and lakes, and through the snow-clad hills about the source of the Penobscot. Meanwhile Mogg him-

¹ Mr. Palfrey suggests this as possible, and admits that it would be the only defense.

² Belknap, p. 127.

self went to Boston and obtained a cessation of hostilities upon promise of returning the prisoners.¹ No prisoners were sent in, and the English heard from a captive that Mogg was boasting of his success in allaying the suspicions of his enemies and gaining breathing time for his countrymen.²

In February the English again took the field, with Waldron in command. He built and garrisoned a fort at Kennebec, and then, after a short inroad into the Indian country, he made another attempt to negotiate. It was agreed that the Indians should give up their prisoners and should attend unarmed to receive the ransom. They came, but the discovery of a concealed lance made Waldon suspect an ambush. Without waiting for the whole body of Indians to arrive he fell upon those present and dispersed them, killing some and capturing others with a large quantity of supplies.

The force returned to Boston, but it had done little to secure the northern plantations. The Massachusetts government now took up a new expedient. At an earlier stage of the war the Governor of New York had offered to send a contingent of the Mohawks and their confederates, the Senecas, to the help of the English. The failure of that scheme was due to a state of affairs which deserves notice from its own intrinsic importance.

As so often happened with colonial boundaries, the settlement between New York and Connecticut did not exclude the possibility of further dispute. The line as actually drawn was not identical with that formally agreed upon, but took a course more favorable to Connecticut. Ten years later the temporary separation and subsequent reconquest of New York gave the Proprietor a pretext for obtaining a fresh charter, and thus reopening the territorial dispute with Connecticut. The contest which ensued brought a new actor on the scene, destined to play a conspicuous part in New England history. The Duke of York entrusted the government of his recaptured territory to Major Andros. For some fifteen years he held official positions which irresistibly forced him into an attitude of hostility to New England. The New Englander was passing out of that phase of mind which sees

¹ Hubbard, pt. ii. p. 53.

² This is stated by Hubbard on the authority of one Card, an English prisoner who made his escape.

³ This expedition is fully described by Hubbard (pp. 64-71).

in every opponent the willful and deliberate enemy of the Lord. But assuredly he had not reached that somewhat unnatural and artificial condition in which men's characters can be analyzed without reference to the effect of their actions. Thus the traditional verdict upon Andros which has come down to us is the verdict of avowed enemies. The chief value of such evidence is negative. Where it acquits we may at least follow it. Since no New England writer imputes to Andros either cruelty or profligacy, we may be at least sure that he was not such an one as Jeffreys or Lauderdale. Fortunately his own writings and those of his supporters help us to fill in this picture with more positive details. His dispatches are the work of a dull, formal, and somewhat ill-tempered disciplinarian, administering a fixed system with rigid obedience and mechanical fidelity to orders. The evidence of his enemies, stripped of rhetorical commonplace, comes to the same thing. It was on the whole well for New England that Andros was neither a better man nor a worse. Massachusetts contained two nearly equally balanced parties, one almost ripe for revolt, the other indifferent to its liberties. A bloodthirsty and rapacious tyrant would have enabled the one to hurry the colony into premature rebellion. An adroit diplomatist would have used the other to undermine the constitution.

The attitude of Andros towards Connecticut was an embarrassing one. On the one hand it was certain that if he was to represent his principal effectively he must come into
Andros at Hartford. conflict with the government of Connecticut on a question of boundary. On the other hand the men of Connecticut had done good service against the Dutch in 1674 by the stoutness with which they held Southold, and had thus established a claim to forbearance and gratitude from the Proprietor of New York. With characteristic ineptitude, Andros neither forbore gracefully nor asserted resolutely. While the vague dread of an Indian attack was hanging over the colonists, they learnt that the western frontier was threatened with a territorial encroachment. Early in July a letter from Andros reached Winthrop, telling him that the writer was coming in person to make good the claims of his patron.¹ On the eighth the settlers at Saybrook, still shuddering at the news from Swansey, were astonished by the appearance of two sloops from New York, with the Governor himself and an

¹ Letter from Andros to Winthrop, July 4, 1675 (Connect. Records, vol. ii. p. 579).

armed force on board.¹ The government of Connecticut showed the same prompt and resolute spirit which had guided it forty years earlier. The two points now threatened were Saybrook and New London. The latter place was already garrisoned against an Indian onslaught.² On the eighth of July Chapman, the commander of Saybrook, sent to Hartford the news of the threatened attack. On the very same day a force was dispatched to his relief,³ while next day the assembly unanimously passed a formal protest against the proceedings of Andros, and issued a proclamation to all the inhabitants of Connecticut forbidding them to obey or countenance him.⁴

Accordingly, when Andros appeared in front of the fort and demanded a surrender, he found himself confronted with an armed force. The exact details of that which followed have been commemorated in colonial tradition. It would be rash to assume their authenticity, but the very fact of their being preserved, even in a colored and perverted form, is significant. The scene might well abide in the memory of the colonists. In theory indeed it was no more than a colonial dispute, such as that between Maine and Massachusetts, or between Virginia and Maryland. But practically the peculiar position of the Proprietor and of Andros could not be overlooked. The Proprietor was the heir to the Crown. Andros was an officer bearing the King's commission. Yet in their defiances of quasi-royal authority the colonists were true to the constitutional instincts of Englishmen. Captain Bull, the commander of the force from Hartford, gave orders that the King's flag should be hoisted over the fort. Defender and assailant alike claimed to be acting under the authority of the Crown.

¹ The statements as to the precise force which Andros brought with him are somewhat conflicting. Chapman, in his report of July 8, sent to Hartford, says "two sloops." He does not mention any soldiers. In a letter sent by the government of Connecticut to Massachusetts immediately on receipt of Chapman's letter, Andros is described as having three sloops and forces in them.

When the immediate danger was over a complete and formal report was drafted and sent by the Connecticut government to Massachusetts. This is dated July 22. It is in the Connect. Records (vol. ii. pp. 339-43). In this Andros is said to have had two vessels with a considerable number of men and arms. I am disposed to accept this as the correct statement.

Andros himself says that he repaired to the mouth of Connecticut River with a supply of ammunition and small-arms (report in New York Documents, vol. iii. p. 254). This report was written three years later. It gives no details of the expedition.

² Connect. Records, vol. ii. p. 332.

³ *Id.* p. 334.

⁴ *Id.* pp. 260-3.

The whole proceeding was illustrative of the half-hearted temper and blundering policy of Andros. He seems to have set forth with no clear scheme before him. An unscrupulous man would have defied the colonial government and sought to make good his claim by force. A crafty diplomatist would have attempted to put his opponents in the wrong. Andros landed, read the remonstrance of the colonial government, exchanged some not unfriendly words with Bull, and then withdrew with a vague protest.

This quarrel had important and immediate results. If the English were to get any help from the Five Nations, it was clear that the Governor of New York must be a party to the Alliance with the Mohawks scheme. During the first and second years of the war a correspondence on this point went on between Andros and the government of Connecticut, conducted with ill-temper and manifest suspicion on both sides.¹

The New England settlers were also kept back by rumors that Philip had already been intriguing with the Mohawks. Now however there was no need for such hesitation. It was well known that there was already enmity between the Mohawks and the Tarrateens. As in the case of De la Tour, there were doubts how far an alliance with idolaters was lawful. But the precedent of Israel and the Amorites was brought forward and accepted as satisfactory.² Accordingly two commissioners, Pyncheon and Richards, the former from Massachusetts, the latter from Connecticut, were sent to treat with the Mohawks.³ The only obstacle was the alliance of the English with the Mohicans, a tribe whom the Mohawks regarded with special jealousy and hatred.⁴ In spite of this the mission was successful. But the Mohawks had no intention of becoming mere instruments for the purposes of their allies. They fell indiscriminately upon the eastern Indians, making no difference between the friends and the enemies of the English. Having thus enraged the whole country by a destructive inroad they withdrew, and seemingly took no further part in the war. Where the Indian alliance would have been of real service the English neglected it; where it could be nothing but a hindrance they courted it. The Mohicans and the remnants of other Indian tribes, such as the Pequods, were familiar

¹ This correspondence will be found in the *Journal of the Council*.

² Hubbard, *History of New England*, p. 629.

³ Connect. Records, vol. ii, p. 492.

⁴ *Ib.* pp. 495, 499.

with the country, and could act against the enemy without going far from their own villages. The headquarters of the Mohawks were more than a hundred miles distant from the scene of action.

Indeed the whole conditions of the war in Massachusetts and in the eastern settlements differed widely. In the south the English could at any time withdraw from their outlying settlements and present a solid line of defense based on the sea. The villages on the upper Connecticut might be cut off, but all the main towns had their communications with Boston secure. The savages, on the other hand, were hemmed in everywhere. On one side of them lay the main body of the Massachusetts settlements, on another Plymouth, while they might at any moment be encompassed by a force advancing up the valley of the Connecticut. They had not strength enough to break through the English line, and their position made it impossible for them to fall back. In the north this was almost exactly reversed. The southernmost of the plantations on the Piscataqua was separated from Boston by full fifty miles of forest. The Indians had at their back an unbounded wilderness, whither they could always retreat before an invading force.

During the summer of 1677 the Indians harried the settlements of Maine and New Hampshire with impunity. A force of sixty English and two hundred Indian allies was sent against them, only to be routed with heavy loss, including that of their captain. After a three years' struggle the stubborn will of the New Englander had for once to bow before the skill and resources of the savage. In the spring of 1678 commissioners were appointed to treat for peace with the Tarrateen chief. Terms were made. The English were to return to their homes and to dwell there in peace. But the right of the ancient inhabitants to the soil was recognized by the yearly payment of a peck of corn for every household.¹

The lasting effects of the Eastern war were twofold. The inroad of the Mohawks and the treachery of Waldron taught the Indians hatred for the English: the feeble conduct and ignominious end of the war taught them contempt. As French influence grew more powerful, the enmity of the eastern Indians became more and more a cause of anxiety to the

¹ Belknap, p. 83.

people of New England. Nor can we doubt that the war had an effect on the political relation between the settlers on the Piscataqua and the government at Boston. The manifest inability of that government to protect its subjects must have done much to reconcile them to an enforced separation.

The direct losses of the war have been set forth by Hubbard with a degree of precision unusual for that age. He enumerates the tale of those killed at something over four hundred. ^{Damage done by the war.} In Massachusetts nine towns seem to have been actually destroyed, and separate homesteads devastated.¹ Besides the actual loss of life and property and the disturbance of all forms of industry, there is yet another means by which one may gauge the injuries inflicted by the war. In Massachusetts the direct taxation in 1676 was sixteen times greater than that required in ordinary times. In Plymouth it amounted in the same year to close upon three thousand seven hundred pounds, while in the next year it fell to what we may fairly suppose was its normal amount of a trifle over two hundred pounds.

Yet when once the strain of taxation and the immediate suffering caused by the destruction of property was at an end, the process of recovery was rapid. Economists have pointed out that the injury inflicted on property by an invading army is from its nature transient. It inflicts privations by sweeping away those accumulations which are needed for immediate consumption and by temporarily hindering productive industry. It destroys existing wealth, but except so far as it lessens population it leaves the main sources of future wealth untouched. And if this be true of old countries, it is far more true of a colony, where but little capital is tied up in buildings, where there are none of the complex appliances of scientific husbandry, and where the implements of tillage are roughly made and easily reproduced. The New England yeoman who had to rebuild his house, and it may be to reclaim his farm afresh, was but doing what he or his father already had done, what others would have been doing on every side of him if Philip's warriors had never sacked an English settlement. A village of log huts on the outskirts of a forest sprang up again from its ashes even more quickly than a mediæval town. By 1680 every one of the destroyed

¹ Hubbard's account is borne out by the official report sent home by the Massachusetts government through its agents.

settlements in Massachusetts seems to have been rebuilt. The greatest blow was the loss of live-stock. And even that, though it must have borne heavily on individuals, only affected the community by curtailing the supply for exportation. The surplus stock of the townships along the coast would go to replace the loss inland, instead of supplying the markets of Virginia and the West Indies.

In Plymouth indeed, where the poverty of the inhabitants left even in prosperous times but little margin for saving, the process of recovery was necessarily slower than in Massachusetts. Moreover the nature of the destruction makes it more difficult to trace the steps by which it was repaired. In Massachusetts certain towns were actually annihilated, or nearly so. The reappearance of those towns in the records enables us to date their rebuilding with exactitude. But in Plymouth many townships were pillaged and devastated, but only one, Swansey, was actually destroyed. Yet neither the population nor the external trade of Plymouth seems to have undergone any marked check.

CHAPTER IV.

THE CHARTER OF MASSACHUSETTS ANNULLED.

THE years which separated Philip's war from the Revolution form a turning-point in the history of New England. Like the same

General
character
of this
period.¹

period in the history of the mother country, it might be described as a time of great events and small men.

Not indeed that in either case the chief actors fell short in intellectual stature. In each country the battle was fought, by the popular party at least, with consummate adroitness. On the other side were men whose abilities would have made them dangerous under any leader less infatuated than James. But in the colony and in the mother country alike we feel that the whole tone of public life has sunk. In New England the men who overthrew Andros are to Winthrop and Bradford what the men who brought over William are to Eliot and Hampden. In each case the interest lies not in the incidents of the struggle nor in the actors, but in the prize fought for.

The contest in Massachusetts indeed has one element of in-

¹ After Philip's war the material for the constitutional and administrative history of New England becomes very abundant. On the one side we have the letters of Randolph, some published in the Hutchinson Collection, others preserved among the *Colonial Papers*. On the other side we have some memorials and documents in the State Paper Office, and a number of letters, a few in the Hutchinson Collection, more in the Collections of the Massachusetts Historical Society.

Belknap gives a very full account of Cranfield's doings in New Hampshire, based on the manuscript records of that colony. Some of these documents are printed in his Appendix, and some in the Provincial Papers which form the eighth volume of the *New Hampshire Historical Society's Collection*. The most important of them is the diary kept by William Vaughan, one of Cranfield's victims, while in prison, and sent by him to Weare, who was acting on behalf of the colonists in England.

I have often in the course of this work differed from the late Mr. Palfrey, sometimes explicitly, oftener by implication. It is but fair that I should confirm, as I can from my own experience, the laborious and exhaustive care with which he went through the documents of this date in the Record Office.

terest which that in England lacks. The Revolution in England undid all the constructive work of the last two Stuart reigns. In the case of the colonies the work of administration was in a great measure carried on after the Revolution by machinery which had been fashioned between that event and the Restoration. At the Restoration the colonies were placed under a special council nominated by the Crown.¹ In 1675 that body was replaced by a standing committee of the Privy Council, entitled "The Lords of the Committee of Trade and Plantations."² Practically there was no very wide difference between the two systems. Each enabled the Crown to act directly on the colonies through its own nominees. With a committee of the Privy Council general considerations of imperial policy were more likely to have weight. Under a special board the colonies would be administered rather as a separate department with continuous traditions. But in each case the administrators would be guided by the same economical principles and by the same view of the constitutional position.

The Revolution did not bring about any marked change, either in principles of colonial administration or in the men to whom it was entrusted. Thus the reign of James was for Massachusetts in a sense a period of construction. Its work was not wholly undone. It wrought abiding changes in the constitutional history of the colony.

This movement was aided by internal changes in the temper and character of the colonists. The old conception of New England as a Puritan Sparta, an oligarchy of believers, trained by a pitiless system of spiritual and ethical discipline, was a thing of the past. But, as is usual with such movements, the change did not operate alike on all, nor were those necessarily the most far-seeing or enlightened who most readily accepted and conformed to it. From this point onward we have two clearly defined parties in the colony, one prepared to confront the authority of the Crown, as Winthrop and Endicott had been ready to confront Charles and Laud, the other cautious and temporizing, tolerant of encroachments on their political rights so long as the material prosperity of the colony was not endangered.

In New England no important movement could be disconnected from the religious life of the colony, and in this case an

Col. Papers, 1661, May "

" 12 - 674, March 12."

ecclesiastical conflict was the symptom and precursor of the political one. The questions which in the latter days of the Commonwealth had agitated the churches of New England were reopened. Hidden under a mass of theological and quasi-legal technicalities, the real question at issue was this: Were certain convictions, so far as convictions could be measured by formal professions, to be the one condition of church-membership, and therefore of citizenship? Or should these rights be granted when no such conviction existed, as a concession either to justice or to expediency? That question divided the church of Boston.¹ It was complicated and embittered by a personal quarrel. Wilson, the pastor of the first church at Boston, died in 1667.² Many members, possibly a majority of the church, were in favor of the more lax system of admission, or, to use the recognized technicality, "accepted the Half-way Covenant." The orthodox party now sought to strengthen their hands by importing a distinguished champion from without. Davenport, feeling it may be that the annexation of Newhaven by Connecticut had undone the work of his life, and not loth to leave a scene so embittered to him, accepted the vacant charge. Some of the leading members of his new flock were accused of suppressing letters from Newhaven, and thereby misleading the church of Boston into the belief that the parting was on both sides voluntary.

The party of innovation at once accepted the appointment as a declaration of war. Twenty-nine of them seceded. They would willingly have made the separation a friendly one, and sought to obtain a formal dismissal.³ This was refused. The seceders thereupon, acting by the advice of certain ministers, summoned the Elders of fifteen churches to meet as a council.⁴ They did so, and supported the demand for a dismissal. Davenport's supporters still stood out, and the seceders, being deprived of spiritual privileges, formally constituted themselves a church.⁵ At this stage the civil power stepped in. Bellingham, then Governor, summoned a council to oppose the proceeding, as likely to lead to a breach of the peace. But though the Governor himself gave his voice against the seceders, he was only supported by

¹ For this dispute on the "Half-way Covenant" see Hutchinson (vol. i. pp. 270-3). Hull, the Master of the Mint, took a leading part in the secession. There are several references to the matter in his Diary; and a monograph on the subject in the Appendix.

² Hull, p. 224.

³ Hull's words (p. 228) are, "humbly, earnestly, and frequently entreated for their dismissal."

⁴ Hull, p. 229.

⁵ *Id.*

five Assistants out of thirteen. The ministry, if we may believe the statement of one of the leading seceders, were still more favorable, and Davenport found only two of his own order to support him.¹ But in the Lower House the old tenets still held their ground. In May 1670 the Deputies appointed a committee to inquire into the prevailing evils which had brought the displeasure of God upon the country.² As the time was one of exceptional security and well-being, it is difficult not to suppose that this was done as an indirect manner of censuring the seceders. The committee reported that among the chief causes were "declension from primitive foundation work and innovation in doctrine and worship." The report went on to describe the conduct of the seceders in language which is a significant illustration of those principles from which New England was gradually freeing herself. The seceders were guilty of the "utter devastation of the churches," and of "turning the pleasant gardens of Christ into a wilderness." They were "the corrupting gangrene, the infecting spreading plague, the provoking image of jealousy set up before the Lord, the accursed thing which hath provoked divine wrath, and doth further threaten destruction." In the old days of unswerving orthodoxy, when Wilson and his brethren clamored for the blood of Gorton and his fellow-blasphemers, such language would have been but the natural and appropriate exposition of public feeling, and it would have been well for the seceders if abuse had been their only punishment. Now it is clear that the Deputies were out of harmony with public opinion. There is nothing to show how far the next election of Deputies was fought out on that issue. But it is certain that less than half of the same members were returned,³ and that one of the first acts of the new House was to disavow the report of its predecessor. Fifteen of those ministers who had supported the seceders lodged a protest in Court. This indeed applied itself rather to the insult offered to themselves than to the question of church-membership and the right of secession. The new House of Deputies accepted the protest, and reversed the proceedings of the previous year by formally declaring that they knew "no just cause for those scan-

¹ Hull, p. 229.

² Hutchinson (vol. i. p. 271) is the only authority that I can find for the appointment of the committee. His account of their report is confirmed by the Records (vol. iv. pt. ii. p. 431).

³ Nineteen out of forty-seven. The year before only fifteen Deputies had failed of re-election, and the year before that only thirteen.

dalizing reflections cast upon Elders, Ministers, and Churches."¹ The victory of the seceders, for so we may call it, is a turning-point in the ecclesiastical, and therefore in the political, history of New England. It was none the less a gain to the cause of freedom, because, like most such victories, it was won by men who were consciously fighting only for their own privileges.

It is scarcely possible to discover how far the party which sought rigidly to maintain the system of ecclesiastical exclusiveness and the party of resistance to the home government Division of political parties. coincided. Among the five Assistants who formally opposed the secession only three took a prominent part in public affairs. Of these three two died before the political forces of the colony were formally marshaled in two opposing parties. But we may be almost sure that Leverett and Symonds would, if they had lived, have cast in their lot with their surviving colleague, Hathorne, in a policy of direct and uncompromising resistance to the Crown. But the connection between the two movements turns, not on the identity of the actors, but on the common spirit which showed itself at work in each. The Puritan commonwealth had done its work and must pass away, but the process of removal was necessarily fraught with danger to those political rights which had hitherto found their strongest support in motives of religion.

It is noteworthy that in the coming struggle the main strength of the moderate or submissive party lay in the Assistants, that of Opposition of the Assistants and the Deputies. the patriotic party among the Deputies. Theoretically each body represented the freemen by whom it was elected. But practically there were various causes which affected the attitude of the two bodies. The Assistants were necessarily chosen with some view to their fitness for judicial work. The whole body of freemen, met together to elect to a post of high dignity, would unconsciously, if not deliberately, give a preference to those wealthy and educated men who were for the most part to be found among the citizens of Boston. In electing men to represent their own townships, they would choose residents, familiar with the wants of the average citizen, and representing his opinions and feelings. The new ideas, political and religious, which had affected the capital had not yet had time to reach the extremities. The change which commerce had wrought

¹ *Mass. Records*, vol. iv. pt. II. p. 493.

in Boston had no counterpart inland. The Bostoner exchanged ideas with merchants and seamen from every quarter, with slaveholders from the West Indies and with literary adventurers from London. Every ship from England brought letters which gave a glimpse into the political and social life of the capital, and the doings of statesmen and armies in Europe. Fifteen miles off, the farmer in Concord or Sherburne lived as his father had lived before him, untouched by those new influences which were transforming his countrymen.

The colonists had not bettered themselves with the authorities at home by their conduct in Philip's war. Even those who were friendly to New England thought that the calamities of the campaign were due largely to the heedlessness of the settlers, and to the spirit of independence which withheld them from asking help of the home government, or even sending authentic reports of the state of affairs.¹

English statesmen had yet another grievance against New England. It was gradually becoming an accepted principle that the trade of the colonies should be treated, not as affecting the prosperity of the colonists themselves, but as stimulating the navigation and enlarging the commerce of the mother country. The government of Massachusetts in its dealings with the home authorities might formally acknowledge that view. But it found no favor with the Boston merchants, and every year the breach of the navigation laws became more profitable and more flagrant. Ships from France, Spain, and the Canaries traded direct with Boston, and brought in goods which had never paid duty in any English port.² One effect of this was to alienate those classes on whose sympathy New England might have naturally reckoned in the coming struggle. The city merchants petitioned the Crown, pleading that New England had become "the mart and staple whereby the navigation of the kingdom is injured."³ The London silk-mercens complained that English ships carried out French goods to the colonies, and that their own wares were thereby undersold.⁴

All these various grievances against New England, commercial jealousy, administrative dissatisfaction, the cupidity of rival

¹ See a letter from Lord Anglesea to Leverett, given by Hutchinson in his *History* (vol. I. p. 399).

² Randolph's report (Hutchinson Papers, p. 493).

³ *Col. Papers*, 1676, Jan. 27.

⁴ *Id.* April 10; 1675, May 12.

THE CHARTER TO MASSACHUSETTS REVULSED

claimants were gathered together and brought to a focus by the complete nullifying of the act.

In the spring of 1671 the Lords of Trade and Plantations sent an agent to New England. His mission here was to carry a ~~report~~ ^{letter} to the Governor and Council of Massachusetts. ~~His~~ ^{His} really his principal task was to examine and report upon the condition of the colonies, their population, industry, and resources, and the character and character of their leading men. He was to collect all the information which the authorities in England wanted where they could begin the task of bringing New England under the direct control of the Crown.

That chance fell in a man wholly new to the work of colonial administration, Edward Randolph. He was reared in Masch, and threw himself zealously into the schemes of his kinsman. (Otherwise he seems to have had no previous connection with New England. No craving for originality, no generous revulsion against the poverty and narrowness of an earlier generation, nor prompted any New England writer to lighten that load of well-earned misery which rests in Randolph's name. When asked the cause of the petty spite of his mind and the transient nature of his influence, one at first wonders at the disproportionate amount of hatred bestowed on him. How could a man with so narrow and insignificant a sphere have won such abiding infamy? Fourteen years covers the whole of Randolph's career in New England. He held no post higher than that of a revenue collector; yet his figure comes down to us elevated into something like grandeur by the hard shades which hatred has thrown over it.

For the key to this we have but to look to Randolph's own writings. We there see how the dislike of a narrow-minded official for those who thwarted his schemes ripened into intense personal hatred. It was clear that Randolph was one of those men who, once enlisted as partisans, lose every other feeling in the passion which is engendered of strife. He was not personally corrupt. On that point we may take the silence of his enemies for an acquittal. Yet he did not scruple to use weapons from which many a corrupt man would have shrunk. His rancor and his unscrupulousness fairly earned the hatred of contemporaries and of posterity. Yet it may be doubted whether they really

¹ Randolph's instructions are in the *Col. Papers* (1670, March 20).

made him formidable. His writings show no trace of statesman-like insight. In the lower gifts of diplomatic adroitness he was far inferior to the men pitted against him. He had no idea of lightening administrative difficulties by conciliation. The one principle of government which he proposed was to rule New England by a timid and selfish faction for which he could not conceal his contempt. Nor do his writings show any real judgment as to the men with whom he dealt. His only test of men's merits and powers is their fitness as tools for the work which he wished to get from them. The capacity which made him dangerous lay in his absorbing and unswerving devotion to a single object, his power, in forensic language, of getting up a case, of bringing together every detail which bore on a particular issue, and throwing them all into a clear and effective statement, tinged throughout with advocacy, yet so dexterous as almost to baffle refutation upon any one point.

His powers in that way were shown by the report which he brought home after a sojourn of less than two months in New England. Nearly the whole of it is devoted to Massachusetts.¹ It sets forth clearly and shortly the commercial and industrial state of the colony, its system of law and administration, its population and means of defense, everything in short that the home government need know before undertaking the direct control of the colony. Not only this report but all Randolph's letters show that he was alive to the danger of making reckless charges. The only actual misstatement is to the effect that the main loss from the Indian war had fallen, not on Massachusetts, but on Plymouth and Connecticut. Yet in all matters where Randolph touches upon the relations of the colony to the home government a strain of misrepresentation is manifest. The Act of Navigation was no doubt evaded. But it was a highly colored statement to say that "no notice was taken of any laws made in England for the regulation of trade," and that the Massachusetts government would make the world believe that they are a free state. We may well doubt whether Leverett "freely declared that the laws made by your Majesty and your Parliament obligeth them in nothing but what consists with the interests of that colony." Only an enemy who sought to rake up past grievances would have described Leverett as "one who served in the

¹ This report is in the Hutchinson Collection (p. 477). It occupies thirty pages.

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late rebellion under the usurper Oliver Cromwell." It is hard to disprove a general insinuation, but the statement that the Governor and one of the magistrates held the two chief military officers in order to "stay at home and share the spoil, while the younger men command the army in the field" is inconsistent with all that we know of the tone of public life in Massachusetts.

The letter to the King which accompanied Randolph's report showed that he had already taken the measure of colonial parties, ~~He letter~~ and marked out the plan on which the attack was to ~~to the~~ be conducted. He saw that the same policy by which Connecticut had been isolated from her parent might be carried further; he saw, or thought he saw, a fit instrument for such a policy in Winslow, the Governor of Plymouth, "a gentleman of loyal principles, feared and not loved by the Bostoners." But it was not merely on the discontented confederates of Massachusetts, but on a disaffected party within the colony itself, that he relied. According to him, the generality of the people denounced the arbitrary government and oppression of their magistrates, and were only withheld from open complaint by the severity shown to all who had ever petitioned against the authorities of Massachusetts.

Over and above collecting information, Randolph's chief errand was to insist on the sending of an agency. It seems ~~Stoughton~~ strange that the English government should have ~~and Bulkeley~~ looked for any good in such a course. The last ~~ap-~~ agency had served no useful purpose, and the colonists ~~pointed~~ could always gain time and baffle their opponents by restricting the power of their representatives. The Court which received Randolph at once assented to the demand for agents. It suited the policy of the colonists that the post should be held by men of only second-rate ability and influence. Nor was the position of an agent one likely to tempt the best men. The reception of Bradstreet and Norton had shown that it was a hopeless attempt to satisfy both the home government and the public opinion of the colony. The choice fell on Stoughton and Bulkeley. Both men already held office, the former as an Assistant, the latter as Speaker to the Deputies. Both were in some measure connected with the ministry. Bulkeley was the son of one of the most eminent divines in New England.¹ Stoughton had been brought up

¹ Allen's *Biographical Dictionary* (ed. 1852), p. 186.

as a minister, but had never been in charge of a congregation.¹ Their sympathies were with the moderate side, but neither was of sufficient weight to be specially mentioned by Randolph in his estimate of the strength of parties.

The chief point in the instructions given to the agents was their answer to the claims of Mason and Gorges. They were furnished with all the legal evidence which could be adduced for the Massachusetts title, and they were to use their discretion in buying off the rival claimants if any opportunity offered. On all other matters which might be brought against the colony they were to plead the absence of instructions.²

In the winter of 1676 the agents reached England. Ostensibly they were sent over to treat with the home government as to the Dealings with Mason and Gorges. general attitude of Massachusetts. Practically they were little more than attorneys conducting the case of the colony against Gorges and Mason. Now that the Crown had designs of consolidating New England under a single government, the claim to the territory beyond the Piscataqua assumed fresh importance. Mason and Gorges, it is clear, felt that they were in the position of small landholders with a piece of ground which is coveted by two wealthy neighbors. As early as 1672 Pike, acting on behalf of Massachusetts, had suggested a compromise whereby the colony should leave Mason's proprietary rights untouched, but should extinguish his claim to jurisdiction.³ Two years later Leverett actually authorized an agent to buy up the rights of Gorges, if he could, for five hundred pounds.⁴ There had also been proposals from Mason and Gorges to sell their rights to the King.⁵ The legal question was finally referred to the two chief Justices, North and Rainsford. They gave their opinion that neither Mason nor Massachusetts had established any rights over the soil of New Hampshire, but that such rights were in the individual occupants who were not represented; that Mason's claim to jurisdiction could not stand, since the original Plymouth Company had no power to grant such rights; that the Piscataqua was the boundary of Massachusetts; and that Gorges' title, being based on a grant from the Crown, was valid.⁶ The practical effect of

¹ Allen's *Biographical Dictionary* (ed. 1852), p. 708.

² The instructions are in the Mass. Records (vol. v. pp. 113-6).

³ *Col. Papers*, 1672, June 19.

⁴ Leverett to Thomson, Aug. 24, 1674 (Hutchinson Papers, pp. 466-8).

⁵ *Col. Papers*, 1671, Nov. 13; 1674, March 30; 1675, May 1.

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this was to leave the New Hampshire settlers in direct dependence on the Crown. The matter, having reached this stage, was referred back to a committee of the Privy Council.

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Randolph's proposals. The charges which he brought were those standing accusations of disobedience which had been current for years. But one proposal that he made is worth notice as foreshadowing, and perhaps suggesting, a form of attack which was made some years later. He recommended that the Crown should confirm existing possessions in Massachusetts at an easy quit-rent—in other words, that it should annihilate the territorial rights of the colonial government, and rely on the supineness and self-interest of individual landholders to sanction the process.¹

In July 1678 Randolph's hands were strengthened by an appointment as Collector and Surveyor of Customs in New England.

Randolph's appointment and the laws concerning trade. His commission enumerated the various laws which it was his duty to enforce. It may be not out of place to review them, and to see what precisely was the system which the mother country adopted in dealing with the commerce of her dependencies. The Acts of Parliament affecting colonial trade were six in number. The Act of Tonnage and Poundage, passed in the year of the Restoration, only dealt with it indirectly by imposing certain fixed duties on imports and exports.²

The Act of Navigation, passed in the same year, in imitation of an Act of the Parliament during the Protectorate, was the corner-stone of the system.³ No vessel might trade with the colonies in any way unless it belonged to an English subject, and unless three-fourths of the crew were English, and no alien might trade in any colony either as a factor or a merchant. Moreover certain specified commodities might not be exported from a colony even in an English vessel, except to England or some other English colony. Singularly enough one clause of the Act assumed that every governor of a plantation was appointed by the Crown, and thus made it so far inapplicable to the New England colonies.

Three years later an Act was passed which went further in the direction of subordinating colonial interests to those of the mother country. It was entitled "An Act for the Encouragement of

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Trade."¹ The preamble to that clause which related to the colonies set forth as the objects to be sought "the keeping the plantations in a firmer dependence on the kingdom of England," "rendering them yet more beneficial and advantageous in the employment and increase of English shipping and seamen, and vent of English woollen and other manufactures and commodities," and "making this kingdom the mart and staple, not only of the commodities of the plantations, but also of the commodities of other countries and places." That preamble summed up with more clearness than is often found in formal documents the objects aimed at in the colonial policy of England from the days of Clarendon to the days of Grenville. To carry out these objects it was enacted that no European goods might be brought into the colony unless they had been first landed in England. Exceptions were made in favor of wine from Madeira and the Azores, and salt for the Newfoundland and New England fisheries. The Act of Navigation gave English shipping a monopoly of colonial trade. This Act went further, and saddled the colonial consumer with an additional set of duties for the benefit of the English revenue. As a compensation for these restrictions the prohibition of tobacco-growing at home was renewed. This however was a benefit only to the southern colonies, which from their mode of life were least dependent on imports, and so suffered least from the Act.

In 1672 the system was made yet more complete by an Act imposing special duties on certain commodities imported from one colony to another.² Practically this could have but little effect on New England, since none of the articles enumerated were produced there, and none, except tobacco, were likely to be consumed there.

By the Navigation Act and by an Act passed in 1670 the task of enforcing these restrictions was laid upon the local authorities.³ That system might possibly work well in those colonies where the Governor was in direct dependence upon the Crown. It could not but fail where the Governor was chosen by the colonists from among themselves, and where all his own sympathies and interests were opposed to the execution of the laws. The practical effect of this legislation was that no vessel owned or manned by foreigners might trade with New England, and that, with the ex-

¹ 15 Car. II. c. 7.

² 25 Car. II. c. 7.

³ 22 & 23 Car. II. c. 20.

people of New England. Nor can we doubt that the war had an effect on the political relation between the settlers on the Piscataqua and the government at Boston. The manifest inability of that government to protect its subjects must have done much to reconcile them to an enforced separation.

The direct losses of the war have been set forth by Hubbard with a degree of precision unusual for that age. He enumerates

Damage
done by the
war.

the tale of those killed at something over four hundred. In Massachusetts nine towns seem to have been actually destroyed, and separate homesteads devastated.¹ Besides the actual loss of life and property and the disturbance of all forms of industry, there is yet another means by which one may gauge the injuries inflicted by the war. In Massachusetts the direct taxation in 1676 was sixteen times greater than that required in ordinary times. In Plymouth it amounted in the same year to close upon three thousand seven hundred pounds, while in the next year it fell to what we may fairly suppose was its normal amount of a trifle over two hundred pounds.

Yet when once the strain of taxation and the immediate suffering caused by the destruction of property was at an end, the process of recovery was rapid. Economists have pointed out that the injury inflicted on property by an invading army is from its nature transient. It inflicts privations by sweeping away those accumulations which are needed for immediate consumption and by temporarily hindering productive industry. It destroys existing wealth, but except so far as it lessens population it leaves the main sources of future wealth untouched. And if this be true of old countries, it is far more true of a colony, where but little capital is tied up in buildings, where there are none of the complex appliances of scientific husbandry, and where the implements of tillage are roughly made and easily reproduced. The New England yeoman who had to rebuild his house, and it may be to reclaim his farm afresh, was but doing what he or his father already had done, what others would have been doing on every side of him if Philip's warriors had never sacked an English settlement. A village of log huts on the outskirts of a forest sprang up again from its ashes even more quickly than a mediæval town. By 1680 every one of the destroyed

¹ Hubbard's account is borne out by the official report sent home by the Massachusetts government through its agents.

settlements in Massachusetts seems to have been rebuilt. The greatest blow was the loss of live-stock. And even that, though it must have borne heavily on individuals, only affected the community by curtailing the supply for exportation. The surplus stock of the townships along the coast would go to replace the loss inland, instead of supplying the markets of Virginia and the West Indies.

In Plymouth indeed, where the poverty of the inhabitants left even in prosperous times but little margin for saving, the process of recovery was necessarily slower than in Massachusetts. Moreover the nature of the destruction makes it more difficult to trace the steps by which it was repaired. In Massachusetts certain towns were actually annihilated, or nearly so. The reappearance of those towns in the records enables us to date their rebuilding with exactitude. But in Plymouth many townships were pillaged and devastated, but only one, Swansey, was actually destroyed. Yet neither the population nor the external trade of Plymouth seems to have undergone any marked check.

CHAPTER IV.

THE CHARTER OF MASSACHUSETTS ANNULLED.

THE years which separated Philip's war from the Revolution form a turning-point in the history of New England. Like the same period in the history of the mother country, it might be described as a time of great events and small men. Not indeed that in either case the chief actors fell short in intellectual stature. In each country the battle was fought, by the popular party at least, with consummate adroitness. On the other side were men whose abilities would have made them dangerous under any leader less infatuated than James. But in the colony and in the mother country alike we feel that the whole tone of public life has sunk. In New England the men who overthrew Andros are to Winthrop and Bradford what the men who brought over William are to Eliot and Hampden. In each case the interest lies not in the incidents of the struggle nor in the actors, but in the prize fought for.

The contest in Massachusetts indeed has one element of in-

¹ After Philip's war the material for the constitutional and administrative history of New England becomes very abundant. On the one side we have the letters of Randolph, some published in the Hutchinson Collection, others preserved among the *Colonial Papers*. On the other side we have some memorials and documents in the State Paper Office, and a number of letters, a few in the Hutchinson Collection, more in the Collections of the Massachusetts Historical Society.

Belknap gives a very full account of Cranfield's doings in New Hampshire, based on the manuscript records of that colony. Some of these documents are printed in his Appendix, and some in the Provincial Papers which form the eighth volume of the *New Hampshire Historical Society's Collection*. The most important of them is the diary kept by William Vaughan, one of Cranfield's victims, while in prison, and sent by him to Wear, who was acting on behalf of the colonists in England.

I have often in the course of this work differed from the late Mr. Palfrey, sometimes explicitly, oftener by implication. It is but fair that I should confirm, as I can from my own experience, the laborious and exhaustive care with which he went through the documents of this date in the Record Office.

terest which that in England lacks. The Revolution in England undid all the constructive work of the last two Stuart reigns. In the case of the colonies the work of administration was in a great measure carried on after the Revolution by machinery which had been fashioned between that event and the Restoration. At the Restoration the colonies were placed under a special council nominated by the Crown.¹ In 1675 that body was replaced by a standing committee of the Privy Council, entitled "The Lords of the Committee of Trade and Plantations."² Practically there was no very wide difference between the two systems. Each enabled the Crown to act directly on the colonies through its own nominees. With a committee of the Privy Council general considerations of imperial policy were more likely to have weight. Under a special board the colonies would be administered rather as a separate department with continuous traditions. But in each case the administrators would be guided by the same economical principles and by the same view of the constitutional position.

The Revolution did not bring about any marked change, either in principles of colonial administration or in the men to whom it was entrusted. Thus the reign of James was for Massachusetts in a sense a period of construction. Its work was not wholly undone. It wrought abiding changes in the constitutional history of the colony.

This movement was aided by internal changes in the temper and character of the colonists. The old conception of New England as a Puritan Sparta, an oligarchy of believers, trained by a pitiless system of spiritual and ethical discipline, was a thing of the past. But, as is usual with such movements, the change did not operate alike on all, nor were those necessarily the most far-seeing or enlightened who most readily accepted and conformed to it. From this point onward we have two clearly defined parties in the colony, one prepared to confront the authority of the Crown, as Winthrop and Endicott had been ready to confront Charles and Laud, the other cautious and temporizing, tolerant of encroachments on their political rights so long as the material prosperity of the colony was not endangered.

In New England no important movement could be disconnected from the religious life of the colony, and in this case an

Col. Papers, 1661, May "

" 12 -672, March 12."

ecclesiastical conflict was the symptom and precursor of the political one. The questions which in the latter days of the Commonwealth had agitated the churches of New England were reopened. Hidden under a mass of theological and quasi-legal technicalities, the real question at issue was this: Were certain convictions, so far as convictions could be measured by formal professions, to be the one condition of church-membership, and therefore of citizenship? Or should these rights be granted when no such conviction existed, as a concession either to justice or to expediency? That question divided the church of Boston.¹ It was complicated and embittered by a personal quarrel. Wilson, the pastor of the first church at Boston, died in 1667.² Many members, possibly a majority of the church, were in favor of the more lax system of admission, or, to use the recognized technicality, "accepted the Half-way Covenant." The orthodox party now sought to strengthen their hands by importing a distinguished champion from without. Davenport, feeling it may be that the annexation of Newhaven by Connecticut had undone the work of his life, and not loth to leave a scene so embittered to him, accepted the vacant charge. Some of the leading members of his new flock were accused of suppressing letters from Newhaven, and thereby misleading the church of Boston into the belief that the parting was on both sides voluntary.

The party of innovation at once accepted the appointment as a declaration of war. Twenty-nine of them seceded. They would willingly have made the separation a friendly one, and sought to obtain a formal dismissal.³ This was refused. The seceders thereupon, acting by the advice of certain ministers, summoned the Elders of fifteen churches to meet as a council.⁴ They did so, and supported the demand for a dismissal. Davenport's supporters still stood out, and the seceders, being deprived of spiritual privileges, formally constituted themselves a church.⁵ At this stage the civil power stepped in. Bellingham, then Governor, summoned a council to oppose the proceeding, as likely to lead to a breach of the peace. But though the Governor himself gave his voice against the seceders, he was only supported by

¹ For this dispute on the "Half-way Covenant" see Hutchinson (vol. i. pp. 270-3). Hull, the Master of the Mint, took a leading part in the secession. There are several references to the matter in his Diary; and a monograph on the subject in the Appendix.

² Hull, p. 224.

³ Hull's words (p. 228) are, "humbly, earnestly, and frequently entreated for their dismissal."

⁴ Hull, p. 229.

⁵ *Id.*

five Assistants out of thirteen. The ministry, if we may believe the statement of one of the leading seceders, were still more favorable, and Davenport found only two of his own order to support him.¹ But in the Lower House the old tenets still held their ground. In May 1670 the Deputies appointed a committee to inquire into the prevailing evils which had brought the displeasure of God upon the country.² As the time was one of exceptional security and well-being, it is difficult not to suppose that this was done as an indirect manner of censuring the seceders. The committee reported that among the chief causes were "declension from primitive foundation work and innovation in doctrine and worship." The report went on to describe the conduct of the seceders in language which is a significant illustration of those principles from which New England was gradually freeing herself. The seceders were guilty of the "utter devastation of the churches," and of "turning the pleasant gardens of Christ into a wilderness." They were "the corrupting gangrene, the infecting spreading plague, the provoking image of jealousy set up before the Lord, the accursed thing which hath provoked divine wrath, and doth further threaten destruction." In the old days of unswerving orthodoxy, when Wilson and his brethren clamored for the blood of Gorton and his fellow-blasphemers, such language would have been but the natural and appropriate expression of public feeling, and it would have been well for the seceders if abuse had been their only punishment. Now it is clear that the Deputies were out of harmony with public opinion. There is nothing to show how far the next election of Deputies was fought out on that issue. But it is certain that less than half of the same members were returned,³ and that one of the first acts of the new House was to disavow the report of its predecessor. Fifteen of those ministers who had supported the seceders lodged a protest in Court. This indeed applied itself rather to the insult offered to themselves than to the question of church-membership and the right of secession. The new House of Deputies accepted the protest, and reversed the proceedings of the previous year by formally declaring that they knew "no just cause for those scan-

¹ Hull, p. 229.

² Hutchinson (vol. i. p. 271) is the only authority that I can find for the appointment of the committee. His account of their report is confirmed by the Records (vol. iv. pt. ii. p. 431).

³ Nineteen out of forty-seven. The year before only fifteen Deputies had failed of re-election, and the year before that only thirteen.

dalizing reflections cast upon Elders, Ministers, and Churches."¹ The victory of the seceders, for so we may call it, is a turning-point in the ecclesiastical, and therefore in the political, history of New England. It was none the less a gain to the cause of freedom, because, like most such victories, it was won by men who were consciously fighting only for their own privileges.

It is scarcely possible to discover how far the party which sought rigidly to maintain the system of ecclesiastical exclusiveness and the party of resistance to the home government coincided. Among the five Assistants who formally opposed the secession only three took a prominent part in public affairs. Of these three two died before the political forces of the colony were formally marshaled in two opposing parties. But we may be almost sure that Leverett and Symonds would, if they had lived, have cast in their lot with their surviving colleague, Hathorne, in a policy of direct and uncompromising resistance to the Crown. But the connection between the two movements turns, not on the identity of the actors, but on the common spirit which showed itself at work in each. The Puritan commonwealth had done its work and must pass away, but the process of removal was necessarily fraught with danger to those political rights which had hitherto found their strongest support in motives of religion.

It is noteworthy that in the coming struggle the main strength of the moderate or submissive party lay in the Assistants, that of the patriotic party among the Deputies. Theoretically each body represented the freemen by whom it was elected. But practically there were various causes which affected the attitude of the two bodies. The Assistants were necessarily chosen with some view to their fitness for judicial work. The whole body of freemen, met together to elect to a post of high dignity, would unconsciously, if not deliberately, give a preference to those wealthy and educated men who were for the most part to be found among the citizens of Boston. In electing men to represent their own townships, they would choose residents, familiar with the wants of the average citizen, and representing his opinions and feelings. The new ideas, political and religious, which had affected the capital had not yet had time to reach the extremities. The change which commerce had wrought

¹ *Mass. Records*, vol. iv. pt. II. p. 493.

in Boston had no counterpart inland. The Bostoner exchanged ideas with merchants and seamen from every quarter, with slaveholders from the West Indies and with literary adventurers from London. Every ship from England brought letters which gave a glimpse into the political and social life of the capital, and the doings of statesmen and armies in Europe. Fifteen miles off, the farmer in Concord or Sherburne lived as his father had lived before him, untouched by those new influences which were transforming his countrymen.

The colonists had not bettered themselves with the authorities at home by their conduct in Philip's war. Even those who were friendly to New England thought that the calamities of the campaign were due largely to the heedlessness of the settlers, and to the spirit of independence which withheld them from asking help of the home government, or even sending authentic reports of the state of affairs.¹

English statesmen had yet another grievance against New England. It was gradually becoming an accepted principle that the trade of the colonies should be treated, not as affecting the prosperity of the colonists themselves, but as stimulating the navigation and enlarging the commerce of the mother country. The government of Massachusetts in its dealings with the home authorities might formally acknowledge that view. But it found no favor with the Boston merchants, and every year the breach of the navigation laws became more profitable and more flagrant. Ships from France, Spain, and the Canaries traded direct with Boston, and brought in goods which had never paid duty in any English port.² One effect of this was to alienate those classes on whose sympathy New England might have naturally reckoned in the coming struggle. The city merchants petitioned the Crown, pleading that New England had become "the mart and staple whereby the navigation of the kingdom is injured."³ The London silk-mercers complained that English ships carried out French goods to the colonies, and that their own wares were thereby undersold.⁴

All these various grievances against New England, commercial jealousy, administrative dissatisfaction, the cupidity of rival

¹ See a letter from Lord Anglesea to Leverett, given by Hutchinson in his *History* (vol. I, p. 309).

² Randolph's report (Hutchinson Papers, p. 495).

³ *Col. Papers*, 1676, Jan. 17.

⁴ *Id.* April 10; 1675, May 12.

claimants, were gathered together and brought to a focus by the resolute malignity of one man.

In the spring of 1676 the Lords of Trade and Plantations sent an agent to New England. His ostensible duty was to carry a letter to the Governor and Council of Massachusetts. **Edward Randolph.** In reality his principle task was to examine and report upon the condition of the colonies, their population, industry, and resources, and the temper and character of their leading men. He was in short to collect all the information which the authorities in England needed before they could begin the task of bringing New England under the direct control of the Crown.¹

Their choice fell on a man wholly new to the work of colonial administration, Edward Randolph. He was related to Mason, and threw himself zealously into the schemes of his kinsman. Otherwise he seems to have had no previous connection with New England. No craving for originality, no generous revulsion against the severity and narrowness of an earlier generation, has prompted any New England writer to lighten that load of well-earned obloquy which rests on Randolph's name. When indeed one looks to the petty scope of his mind and the transient nature of his influence, one at first wonders at the disproportionate amount of hatred bestowed on him. How could a man with so narrow and insignificant a sphere have won such abiding infamy? Fourteen years covers the whole of Randolph's career in New England. He held no post higher than that of a revenue collector; yet his figure comes down to us elevated into something like grandeur by the lurid shades which hatred has thrown over it.

For the key to this we have but to look to Randolph's own writings. We there see how the dislike of a narrow-minded official for those who thwarted his schemes ripened into intense personal hatred. It was clear that Randolph was one of those men who, once enlisted as partisans, lose every other feeling in the passion which is engendered of strife. He was not personally corrupt. On that point we may take the silence of his enemies for an acquittal. Yet he did not scruple to use weapons from which many a corrupt man would have shrunk. His rancor and his unscrupulousness fairly earned the hatred of contemporaries and of posterity. Yet it may be doubted whether they really

¹ Randolph's instructions are in the *Col. Papers* (1670, March 20).

made him formidable. His writings show no trace of statesman-like insight. In the lower gifts of diplomatic adroitness he was far inferior to the men pitted against him. He had no idea of lightening administrative difficulties by conciliation. The one principle of government which he proposed was to rule New England by a timid and selfish faction for which he could not conceal his contempt. Nor do his writings show any real judgment as to the men with whom he dealt. His only test of men's merits and powers is their fitness as tools for the work which he wished to get from them. The capacity which made him dangerous lay in his absorbing and unswerving devotion to a single object, his power, in forensic language, of getting up a case, of bringing together every detail which bore on a particular issue, and throwing them all into a clear and effective statement, tinged throughout with advocacy, yet so dexterous as almost to baffle refutation upon any one point.

His powers in that way were shown by the report which he brought home after a sojourn of less than two months in New England. Nearly the whole of it is devoted to Massachusetts.¹ It sets forth clearly and shortly the commercial and industrial state of the colony, its system of law and administration, its population and means of defense, everything in short that the home government need know before undertaking the direct control of the colony. Not only this report but all Randolph's letters show that he was alive to the danger of making reckless charges. The only actual misstatement is to the effect that the main loss from the Indian war had fallen, not on Massachusetts, but on Plymouth and Connecticut. Yet in all matters where Randolph touches upon the relations of the colony to the home government a strain of misrepresentation is manifest. The Act of Navigation was no doubt evaded. But it was a highly colored statement to say that "no notice was taken of any laws made in England for the regulation of trade," and that the Massachusetts government would make the world believe that they are a free state. We may well doubt whether Leverett "freely declared that the laws made by your Majesty and your Parliament obligeth them in nothing but what consists with the interests of that colony." Only an enemy who sought to rake up past grievances would have described Leverett as "one who served in the

¹ This report is in the Hutchinson Collection (p. 477). It occupies thirty pages.

late rebellion under the usurper Oliver Cromwell." It is hard to disprove a general imputation, but the statement that the Governor and one of the magistrates held the two chief military offices in order to "stay at home and share the spoil, while the younger men command the army in the field," is inconsistent with all that we know of the tone of public life in Massachusetts.

The letter to the King which accompanied Randolph's report showed that he had already taken the measure of colonial parties, and marked out the plan on which the attack was to be conducted. He saw that the same policy by which Connecticut had been isolated from her parent might be carried further; he saw, or thought he saw, a fit instrument for such a policy in Winslow, the Governor of Plymouth, "a gentleman of loyal principles, feared and not loved by the Bostoners." But it was not merely on the discontented confederates of Massachusetts, but on a disaffected party within the colony itself, that he relied. According to him, the generality of the people denounced the arbitrary government and oppression of their magistrates, and were only withheld from open complaint by the severity shown to all who had ever petitioned against the authorities of Massachusetts.

Over and above collecting information, Randolph's chief errand was to insist on the sending of an agency. It seems strange that the English government should have looked for any good in such a course. The last agency had served no useful purpose, and the colonists could always gain time and baffle their opponents by restricting the power of their representatives. The Court which received Randolph at once assented to the demand for agents. It suited the policy of the colonists that the post should be held by men of only second-rate ability and influence. Nor was the position of an agent one likely to tempt the best men. The reception of Bradstreet and Norton had shown that it was a hopeless attempt to satisfy both the home government and the public opinion of the colony. The choice fell on Stoughton and Bulkeley. Both men already held office, the former as an Assistant, the latter as Speaker to the Deputies. Both were in some measure connected with the ministry. Bulkeley was the son of one of the most eminent divines in New England.¹ Stoughton had been brought up

¹ Allen's *Biographical Dictionary* (ed. 1852), p. 186.

as a minister, but had never been in charge of a congregation.¹ Their sympathies were with the moderate side, but neither was of sufficient weight to be specially mentioned by Randolph in his estimate of the strength of parties.

The chief point in the instructions given to the agents was their answer to the claims of Mason and Gorges. They were furnished with all the legal evidence which could be adduced for the Massachusetts title, and they were to use their discretion in buying off the rival claimants if any opportunity offered. On all other matters which might be brought against the colony they were to plead the absence of instructions.²

In the winter of 1676 the agents reached England. Ostensibly they were sent over to treat with the home government as to the ^{Dealings} general attitude of Massachusetts. Practically they ^{with Mason} were little more than attorneys conducting the case of ^{and Gorges.} the colony against Gorges and Mason. Now that the Crown had designs of consolidating New England under a single government, the claim to the territory beyond the Piscataqua assumed fresh importance. Mason and Gorges, it is clear, felt that they were in the position of small landholders with a piece of ground which is coveted by two wealthy neighbors. As early as 1672 Pike, acting on behalf of Massachusetts, had suggested a compromise whereby the colony should leave Mason's proprietary rights untouched, but should extinguish his claim to jurisdiction.³ Two years later Leverett actually authorized an agent to buy up the rights of Gorges, if he could, for five hundred pounds.⁴ There had also been proposals from Mason and Gorges to sell their rights to the King.⁵ The legal question was finally referred to the two chief Justices, North and Rainsford. They gave their opinion that neither Mason nor Massachusetts had established any rights over the soil of New Hampshire, but that such rights were in the individual occupants who were not represented; that Mason's claim to jurisdiction could not stand, since the original Plymouth Company had no power to grant such rights; that the Piscataqua was the boundary of Massachusetts; and that Gorges' title, being based on a grant from the Crown, was valid.⁶ The practical effect of

¹ Allen's *Biographical Dictionary* (ed. 1852), p. 708.

² The instructions are in the Mass. Records (vol. v. pp. 113-6).

³ *Col. Papers*, 1672, June 19.

⁴ Leverett to Thomson, Aug. 24, 1674 (Hutchinson Papers, pp. 466-8).

⁵ *Col. Papers*, 1671, Nov. 13; 1674, March 20; 1675, May 1.

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Randolph's appointment and the laws concerning trade. His commission enumerated the various laws which it was his duty to enforce. It may be not out of place to review them, and to see what precisely was the system which the mother country adopted in dealing with the commerce of her dependencies. The Acts of Parliament affecting colonial trade were six in number. The Act of Tonnage and Poundage, passed in the year of the Restoration, only dealt with it indirectly by imposing certain fixed duties on imports and exports.² The Act of Navigation, passed in the same year, in imitation of an Act of the Parliament during the Protectorate, was the corner-stone of the system.³ No vessel might trade with the colonies in any way unless it belonged to an English subject, and unless three-fourths of the crew were English, and no alien might trade in any colony either as a factor or a merchant. Moreover certain specified commodities might not be exported from a colony even in an English vessel, except to England or some other English colony. Singularly enough one clause of the Act assumed that every governor of a plantation was appointed by the Crown, and thus made it so far inapplicable to the New England colonies.

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² 25 Car. II. c. 7.

³ 22 & 23 Car. II. c. 20.

ception of Madeira wine and fishing salt, all goods brought to New England must have already been imported into the mother country. As far as the export trade went, the Acts had probably no effect. The commodities which New England could produce, corn, cattle, and furs, were not subject to any special duties or to any limitation as to the place of transport.

Randolph's commission instructed him to secure the due observance of all these Acts. To that end he was necessarily entrusted with full powers of inspection. In any hands these could hardly fail to be vexatious. In Randolph's they were quite sure to be made so to the very full. Moreover without any flagrant extension of his powers he might interpose delays, and so hinder the process of unloading as to destroy the profit of a voyage. To enforce the revenue system and to bring the colony into a state of political subjection were both difficult tasks. No better means could have been devised for increasing that difficulty than to unite them in one man, and no man could have been found better qualified than Randolph to make the combined system odious.

For nearly two years the unhappy agents were kept in England listening to charges which they had no means of refuting, and endeavoring to pacify the Privy Council with promises of amendment which they were powerless to enforce and would be censured for making.

The main points on which they were called to account were the coining of money, the neglect of the Acts affecting trade, the levying of duties on merchants not resident in the jurisdiction, the exclusion of all except church-members from political rights, and the imposition of an oath of fidelity to the commonwealth of Massachusetts. The Massachusetts government had also reopened the campaign against the Quakers. The Assembly had formally voted, as we have seen, that toleration of that unhappy sect was one of the national sins which had been visited by the Indian war. To pacify an offended Deity, attendance at Quaker meetings was expressly forbidden under pain of imprisonment.¹

On one point the agents made a complete surrender. Their communications with their own government prove plainly enough that they did their best to secure greater obedience to the Act of Navigation.² On all the other points they acted as they had been sent to act. They temporized and did their best to pacify the

¹ *Mass. Records*, vol. v. p. 60.

² *Hutch. Hist.* vol. i. p. 319.

Privy Council without committing their principals to any real concession. They promised that no more Quakers should be executed. The oath of fidelity, they said, had been imposed because there was a plot among the Quakers to burn Boston. They pointed out that the oath of allegiance to the King was required by the charter, but they did not give any assurance that this provision of the charter had been regarded. The charge of coining they admitted with a somewhat vague apology.¹ The agents also set right various misrepresentations made by Randolph as to the state of the colony. They pointed out that the salaries were too low to make public office a source of corrupt profit, and that there had been no attempt on the part of church-members to avoid military service or public burdens.² They denied Randolph's statement as to the wealth of the colony. So far from there being thirty merchants with estates of ten thousand pounds, there were not six or seven.³

The agents during their stay in England got entangled in another controversy. One effect of the Indian war was that Connecticut asserted a claim to the King's Province, based on the right of conquest.⁴ That government too started a plea which had hitherto lain dormant. They contended that the act of the Commissioners by which the Narragansett country was constituted a separate jurisdiction was invalid, inasmuch as Nicolls was not a party to it.⁵ The proprietary rights of the Atherton Company were now revived. Those who had succeeded to them enlisted the government of Connecticut in their favor, and a committee was appointed to survey and allot the land in dispute. A compromise proposed by Rhode Island came to nothing. That colony thereupon appointed two agents to lay the matter before the home government.⁶

These agents however found it needless to make the voyage, since their allotted duties were discharged by citizens of Rhode Island whom another territorial dispute had taken to England. For years there had been an internal dispute in Rhode Island

¹ For these proceedings see *Colonial Papers* as above. The statement of the incendiary plot formed by the Quakers is in the minutes of the Privy Council (1678, April 26).

² *Col. Papers*, 1678, June 4.

³ *Ib.* July 2.

⁴ Journal of Council in Connect. Records (vol. II. p. 473).

⁵ Report of Commissioners in 1683, referred to above (vol. II. p. 165).

⁶ R. I. Records, vol. II. p. 580. The whole dispute is told by Mr. Arnold (vol. I. pp. 426-7). There is also an epitomized account of its various stages and the documents bearing on it in the Appendix to the Connect. Records (vol. II. pp. 526-41).

between the townships of Warwick and Providence.¹ It turned on the precise limits of Roger Williams' original purchase from Miantonomo, and on the consequent validity of conveyances made by Williams, and it gave rise both to lawsuits between the towns in their corporate capacity and also between individual citizens. The men of Providence took the perilous step of appealing to the King. To this end Roger Williams' old enemy Harris was sent to England. The matter was heard, and was referred for arbitration to a jury formed by representatives from each of the four New England colonies.² The judgment of this oddly framed tribunal failed to carry weight. Its verdicts were unfavorable to Warwick, and thereupon Holden and Green were sent to England to reopen the question there. One point which they urged was that old-standing disputes with Warwick unfitted Massachusetts and Connecticut for acting as arbitrators.³

To this plea Stoughton and Bulkeley made what can hardly be called an answer.⁴ Their sole plea was vague abuse of Warwick, some of it dealing with the events of thirty years back. They raked up old charges of alleged disloyalty, telling how in the days of the Commonwealth a man had been fined at Warwick for drinking the King's health, and how the accession of Richard Cromwell had been celebrated with bonfires.

The agent had taken the dispute on to perilous ground. It might have been hard for Holden and Green to make good their legal title. They had no difficulty in brushing away the charges brought against them or in retorting on their accusers. In their dealings with the Protector they had, like every other colony, recognized the *de facto* government. And on the general question of loyalty to the Crown they might safely contrast the conduct of Massachusetts towards the royal commissioners in 1665 with that of Rhode Island.

The position of Massachusetts was not bettered by the conduct of those on whom the rights of the Atherton Company had now

¹ Mr. Arnold gives a very clear account of this dispute (vol. i. pp. 430-5). The documents on which his account is based are to be found in the *Annals of Providence*.

² *Col. Entry Book*, No. LX. p. 42.

³ The statement of the case by Holden and Green does not seem to be extant, but its purport may be inferred from the reply to it.

⁴ *Col. Papers*, 1678, July 30. The reply is appended.

devolved. They issued a notice inviting any one who wished to settle on the Narragansett lands to treat with them.¹ This proceeding is noteworthy in another way. It shows that New England had reached that point when the mere legal right to unoccupied land had acquired value enough to be matter of sale and purchase. The proceeding was followed, as might have been looked for, by two ill consequences. It gave the Warwick agents a pretext for doing what Massachusetts should have most dreaded, for inviting the direct judicial interference of the Crown. This they did by a suggestion that the King should create a supreme court of judicature over all the colonies. Moreover the Narragansett country had, as we have seen, been declared by royal authority to be extra-colonial, a province under the direct control of the Crown. The notice of the Atherton Company was on that point a direct defiance. It was promptly met by an Order of Council that the King's Province should be left as it was, and that all persons having any claims over it should send agents to appear before the King.² At the same time the Massachusetts government was rebuked by another order, bidding it revoke the edict of banishment passed in 1643 against Holden.³

The displeasure thus caused was not likely to be lessened by the action of Massachusetts elsewhere. Gorges and Mason had, as we have seen, made overtures for the sale of their rights to the Crown.⁴ A rumor had reached New England that it was the King's intention to join these two provinces, and to form an appanage for his favorite bastard Monmouth.⁵ If that scheme were carried out the New England settlers would find themselves hemmed in on each side by territory in direct dependence on the Crown. But after Gorges had actually opened negotiations with the King he unblushingly struck a separate bargain with Massachusetts, and ceded to them all his rights over Maine for twelve hundred and fifty pounds.⁶ That the King and his advisers should be wroth was but natural. But this anger lit, not on Gorges who had

¹ The original notice, printed, is among the *Colonial Papers* (1678, July 30).

² *Col. Papers*, 1678, Dec. 13.

³ *Id.* Dec. 20.

⁴ These negotiations were renewed in January 1678. See *Col. Papers*.

⁵ This is mentioned in a letter from a Mr. John Collins to Leverett, March 19, 1675. Hutchinson Collection, p. 472.

⁶ The deed is in the York Records (Maine Historical Society, vol. I. p. 239).

fooled them, but on the Massachusetts government.¹ It must be a strange doctrine of constitutional obedience which requires from the subject a delicate regard for the implied wishes of the sovereign.

The government of Massachusetts sought to make amends by its submissiveness in other matters. The oath of allegiance was formally imposed. The law of treason was made more ^{The Agents instructed to make concessions.} stringent. A vague but respectful address was sent to the King, and the agents were instructed how to answer the charges brought against the colony. They were to ask for a formal permission to coin money, they were to explain that the punishment of the Quakers was a necessary measure of self-defense, they were to apologize for the use of the term commonwealth and to disclaim it for the future, and they were to report that the King's arms were being carved and would be set up in the court house at Boston.² Among these comparatively trifling questions of administration one matter of real constitutional importance stands out. The Court in its letter to the agents clearly laid down the doctrines that the Acts of Navigation were an invasion of the rights of the King's subjects in the colony, since they were not represented in Parliament.³ In the previous year the Assembly had issued an order that all shipmasters should conform to the Acts of Navigation under the penalties imposed by those Acts. In other words, the colonial legislature claimed a right to ratify, and therefore by implication to veto, any Act of Parliament which distinctly affected the colony.⁴

It was not likely that these trifling and formal concessions could satisfy the enemies of New England. Early in 1679 ^{Changes proposed by Randolph.} Randolph handed in a memorial to the King in Council proposing certain definite changes.⁵ Clergymen of the Church of England appointed by the Bishop of London were to be established at Boston and elsewhere in the colony. Persons certified by such ministers to be conforming churchmen were to be admitted to full civic rights. No law was to be valid until it had been confirmed by the King in Council. Winslow, whose loyalty to the King Randolph had already com-

¹ The order of Council sent back by Bradstreet and Stoughton speaks of "the presumption of Massachusetts in buying the Province of Maine" (*Col. Papers*, 1679, June 20).

² The whole of these proceedings are to be found in the *Mass. Records* (vol. v. pp. 193-200).

³ *Mass. Records*, vol. v. p. 200; *Hutchinson*, vol. i. p. 322.

⁴ *Mass. Records*, vol. v. p. 155.

⁵ *Col. Papers*, 1679, Feb. 22.

mended, was to be appointed Major-General, and the ominous clause was added, "till the King appoint a Governor-General."

The Lords of Trade thought seemingly that the time had not yet come for such thoroughgoing reform. They contented themselves with the slightly ironical proposal that, as liberty of conscience had been the pretense for settling and maintaining that plantation, all penalties for breaches of ecclesiastical discipline should be remitted and all religious disabilities abolished. A provisional government should be appointed for New Hampshire, and the Court of Massachusetts should be called on to give account of the proprietorship and administration of Maine. There was nothing unreasonable in that proposal, since it was clearly dangerous that proprietary rights created by royal grant should be alienable. The Committee further proposed that, as the two agents pleaded insufficient powers, they should return and two others be sent.

At the same time an application for redress against New England was being made in a quarter too singular not to be noticed. A daring Indian, whose native name was Wampus, and who had taken that of White, had been cheated, as he averred, of his land at Fairfield. He thereupon crossed the Atlantic to lay his grievances before the King. His courage was rewarded by obtaining from the King a mandate to the magistrates of Connecticut ordering them to make restitution, and in future to abstain from like wrong.²

In May the agents, themselves anxious to return, proposed a form of submission which they offered to take out to their clients.³ It contained five heads. The oath of allegiance was to be taken, no laws were to be made repugnant to those of England, members of the Church of England were to be eligible for office, and "moderation and forbearance" were to be shown to all who should dissent in matters of conscience. The vagueness of this submission was more likely to create disputes than to allay them.

In June the agents got their release. With them a letter was sent to the government of the colony, moderate in tone, with the following demands.⁴ Two other agents were to be sent out within six months. Freedom of worship and equal civil rights

¹ *Col. Papers*, 1679, Feb.

² The petition and the mandate are in the *Colonial Papers*.

³ *Col. Papers*, 1679, May 23.

⁴ *Id.* June 20.

were to be granted to all except Papists; the clause in the charter requiring eighteen Assistants was to be strictly observed; the oath of allegiance was to be imposed on all persons in office; military commissioners and the proceedings of justice were to run in the King's name; and all laws repugnant to the Acts of Navigation were to be repealed.

There is nothing in the records of the time to show who individually was responsible for this policy. We may be sure that it was in some measure based on Randolph's information. The general principle which underlay it is manifest. It was believed that, when civil rights were given to all, the patriotic party would find themselves outnumbered, or that at least the home government would gain a substantial body of allies. By insisting on the appointment of eighteen Assistants that branch of the legislature from which most compliance was to be expected would be strengthened.

The seeming moderation of the attack no doubt was largely due to the calculation that the liberties of the colony could be undermined, and need not be overthrown. But it was due also to the existing condition of English politics. The very crisis of the Popish plot was not the fitting time at which to attack the rights of a Puritan colony in the interests of discontented Anglicans. There may have been other influences at work. If Randolph is to be believed, and, poor though the evidence is, yet the statement is in no way unlikely, the agents during their stay disbursed four thousand pounds as secret service money in the interests of the colony.¹ There is reason to think that some share of this found its way into the pockets of the Lord Privy Seal, Lord Anglesey, whose corrupt rapacity Burnet has described with an unwonted approach to epigram.²

Before Stoughton and his colleague reached home their path was smoothed by the removal of their most vigorous opponent. Leverett died in the spring of 1679.³ He had outlived his

¹ Randolph to the Bishop of London, May 29, 1682 (Hutchinson Collection, p. 532).

² Randolph, in the above letter, speaks of "their great friend the L. P. S. who cannot withstand their weighty arguments." There can be no doubt, I think, as to his meaning. Burnet (*His Own Times*, ed. 1724, vol. i. p. 97) describes Anglesey as one who "stuck at nothing and was ashamed of nothing; neither loved nor trusted by any man or any side; seemed to have no regard to common decencies, but sold every thing that was in his power, and sold himself so often that at last the price fell so low that he grew useless."

³ He died on March 1 (Sewall, vol. i. p. 48).

Deputy-Governor, Symonds, by less than six months.¹ Symonds' vacant place was filled by Bradstreet, and upon Leverett's death the new Deputy proceeded, according to the charter, to the higher office. At the annual election two months later he was not displaced. We need not look on Bradstreet's double election as a triumph of the moderate party, though it favored their aims. His character and antecedents have already come before us. They assuredly have no greatness about them, save such as attaches to a sober judgment and a blameless life. Yet sentiment and association may well have given him irresistible claims. Of those chosen to office by the free-men in England before they had found a home beyond the sea, while their future was little more than a cloud-land, he alone was left. As Dudley's son-in-law he was linked to one of the chief figures in the past. Seen across a gulf of half a century, so rich in changes, the founders of New England had acquired a vague sanctity, not the less impressive because their opinions and feelings were really out of harmony with the present. But if Bradstreet owed his election to reverence for a departed past, he really belonged to the present, not indeed from sympathy or quickness of insight, but from a yielding temper and a plastic will. He was one of those who in peaceful revolutions play a part beyond their intrinsic merits, men whose pliability makes them fit instruments for the party of change, while their position and antecedents seem to furnish security to the party of resistance.

One incident of the year is noteworthy as illustrating the change which was coming over public opinion in New England. The calamities of the Indian war and the political dangers of the colony were thought to need some special acknowledgment and some spiritual humiliation and reform. To that end a synod was called. The report of its proceedings is preserved in full.² It is for the most part taken up with those lamentations over the decay of morality which tell more of the temper prevalent at the moment than of the real state of life. Definite statements indeed on such matters as the neglect of family prayer, the practice of traveling on Sunday, the introduction, or rather revival, of drinking healths, and the increase

¹ Twenty pounds were voted by the Assembly for his interment on Oct. 7, 1678 (*Mass. Records*, vol. v. p. 207).

² In Cotton Mather's *Magnalia* bk. v. pp. 85-94). I am indebted to Mr. Palfrey for suggesting the political significance of the proceedings of this synod.

Bradstreet
is elected
Governor.

Proceed-
ings of the
synod.

in the number of taverns may be taken as good evidence. But the really important point is the importance attached to moral shortcomings and the comparative neglect of doctrinal errors. New England theology in short was becoming what, measured by the standard of the last generation, was latitudinarian. That the change should have embodied itself in the resolutions of the synod is significant. The old Puritan divines, the Hookers and Davenports, were passing away. Their virtues and their failings were now to be looked for among the yeomanry who formed the backbone of the Lower House. Among the clergy, as among the wealthy and educated laymen of Boston, the old provincial narrowness was passing away, and with it not a little of the old strength.

About Christmas the agents returned to Boston. The instructions which they brought were formally accepted. But there was Reception of the agents. no apparent readiness to comply with the demand for other agents. On this point the Court was furnished with a convenient excuse. William Harris, when coming to England to urge the claims of the Atherton Company, had been taken by an Algerine. For some time to come whenever the English government became clamorous in its demand for an agent, the fate of Harris was pleaded as a ground of refusal.¹ The number of Assistants was enlarged as required,² and all the commissioners for the government of New Hampshire were withdrawn.³ Though the Court vaguely expressed regret for having displeased the King by the purchase of Maine,⁴ there was evidently no intention of abandoning it.

Before the agents had returned, Danforth had been sent to Maine to discharge those proprietary rights of government which Government of Maine by Massachusetts. had now devolved on Massachusetts. He was President. With him were joined a Council and an Assembly of representatives from the different townships of Maine.⁵ Whether the Council was nominated by the government of Massachusetts or by Danforth individually does not appear.

The relation which Massachusetts now occupied to Maine was like that which in the fourteenth century Berne occupied towards

¹ Letters from Rawson to Jenkins, Jan. 4, 1681 (Hutchinson Collection, p. 529), and June 3, 1681 (*Col. Papers*).

² *Mass. Records*, vol. v. p. 265.

³ *Id.* p. 268.

⁴ *Id.* p. 263.

⁵ *Maine Hist. Society*, vol. i. p. 240.

Arberg and its other dependencies. To the people of Maine the change was a distinct loss of dignity and of political rights. Hitherto they had been incorporated with Massachusetts on terms of perfect equality. Now they were degraded into a dependency, and that in a necessarily galling fashion. Under a monarchy or a close aristocracy the citizens of the master state and those of the dependency are on the same footing. Here every freeholder in Massachusetts had his share in those rights of sovereignty which Gorges had enjoyed and transferred. Hitherto there had been no disaffection in Maine save such as had been stirred up by interested persons. Within a year of the new settlement Massachusetts found it needful to send an armed force of sixty men to keep order at Casco, and soon after we find no less than a hundred and thirty-six inhabitants petitioning the Crown against their subjection to Massachusetts, while a counter petition could only find sixteen supporters.¹

The cautious and tentative policy of the Crown in its dealings with Massachusetts was shown in the settlement of New Hampshire. No attempt was made for the present to dislodge those who had held office under Massachusetts. A government was established on the accustomed model of a Governor, called a President, a Council nominated by the Crown, and a representative Assembly elected by the freeholders. But the royal mandate which settled this contained the significant clause that the Assembly was to be continued, unless the King or his heirs should see cause to alter the same. In other words, every political and personal right might at any moment be placed at the disposal of an irresponsible governor.²

For the present however the King's advisers were wise enough to excite no suspicion by their choice of instruments. Cutts, the first President, was a loyal citizen of Massachusetts. Waldron, one of the Council, had held civil and military office under that government, and, as far as can be known, his colleagues were men of the same stamp. One of the first acts of the new administrators was to send a letter to Massachusetts acknowledging the past kindness of that government, protesting that the separation

¹ Both petitions are in the *Colonial Papers* (1680, Sept. 30 and Oct.)

² The commission appointing the President and Council and determining the mode of government is in the eighth volume of the *New Hampshire Historical Society's Collections*.

had not been a voluntary act, and expressing a hope that the two colonies would continue helpful to one another.¹

The cupidity of Mason and the energetic malevolence of Randolph soon overturned this peaceful state of affairs. In the summer of 1680 the latter visited the colony in his new capacity of Collector of Customs. By his proceedings he got cast in damages in a civil action, and had to ask pardon of the Council for his insolence towards them.² Though the decision of the English government had overthrown Mason's rights of sovereignty, it had left him with certain territorial claims. In the end of 1680 he came out to enforce these, strengthened by a nomination as a member of the Council. It is clear that a majority of the inhabitants including all the most wealthy and influential, were well affected to Massachusetts. In their eyes Mason was a greedy adventurer, eager for an alliance by which he might rob them of their lands, while the Crown stripped them of their political rights. When he proceeded to put in force his claims as a landholder he was met by an injunction from the Council prohibiting his interference, and threatening to report the matter to the King. He refused to sit in council, and after some further dispute came back to England.³

During 1680 and 1681 the struggle between the King and Massachusetts went on unmarked by any conspicuous event. Massachusetts, disunited in herself, hesitated and temporized; the English government shrank from a struggle which might be made costly by the strength of its opponents or needless by their weakness. The only actor who seemed clearly to know his mind was Randolph, in whom the surliness of an exacting official was every day more and more passing into the vindictiveness of a disappointed partisan. It may have been true that the police regulations of Boston as to persons being abroad at night were a hindrance to the revenue officers.⁴ No doubt every obstacle which the persistent ingenuity of a very obstinate and a very shrewd community could oppose to Randolph's proceedings was brought into play. But it is difficult to look through the endless memorials and petitions still extant in which he denounced the refractory "Bostoners," and not to

¹ For this letter see *Mass. Records* (vol. v. p. 280).

² Belknap, p. 93.

³ *Id.*

⁴ Report from the Commissioners of Customs (*Col. Papers*, 1681, Aug. 30).

Mason
visits New
Hampshire.

Randolph's
attacks on
Massachu-
setts.

think that even with statesmen who had no love for New England he must have become that wearisome personage, an underling with a grievance.

Two of these documents are in print, and their language presents an odd mixture of a political lampoon with an official protest.¹ One sums up all the iniquities of the Massachusetts government under eight heads. It opens with the startling doctrine "that the Bostoners have no right either to land or government in any part of New England, but are usurpers." Randolph was no fool, but he must have been curiously blinded by hatred not to see that the English government could not accept his doctrine without invalidating every act of its past colonial policy. In another document the standing charges are embodied in a stranger form, in a string of so-called articles of misdemeanor against a faction. The faction consists of all those Assistants and Deputies, enumerated by name, who opposed Randolph. The form of the document clearly implies a legal attack, but there is not a word to show by what process or before what tribunal it was to be conducted. Another of Randolph's reports illustrates the recklessness of his language. He had contrived in his capacity as Collector of Customs to expose himself to actions either for false imprisonment or vexatious provocation. This fact he translates into the statement that in revenue cases the juries invariably gave damages against the Crown. It is not unlikely that Randolph was also using means to undermine the fidelity of public men in Massachusetts. Surrounded as he was by watchful enemies, he would be careful that no trace of such intrigues should be manifest. But there is in the State Paper Office a formally verified copy of an address sent by the Elders to the Court of Massachusetts, exhorting them to resist any attack on the patent, and urging that the appointment of agents might be a means of "lengthening out their tranquillity."² The document was drafted by Hubbard, and it is somewhat difficult to explain how a verified copy should have found its way to England. But it is significant that Hubbard's history, written in 1680, makes no mention even of the name of

¹ Hutchinson Collection, pp. 526-9. One is entitled, *Copy of Mr. Randolph's representations against the Bostoners*. This is evidently Hutchinson's heading. The other is entitled, *Articles of high misdemeanor exhibited against a faction of the General Court sitting in Boston, 15 Feb. 1681* (the names enumerated), by Edward Randolph, Collector, etc. - *Colonial Papers*, 1681, Jan. 6.

Randolph, nor is there anything in the character of the writer to allay the suspicions thus created.

Besides Randolph's hostility there was yet another source of danger. The greed and arrogance by which Massachusetts had in her hour of prosperity forfeited the good-will of her weaker neighbors, and the narrowness which had kept Rhode Island out of the Confederation, now bore fruit. There was no memory of past good offices by which the threatened colony could appeal to her neighbors. Plymouth, so far from standing by Massachusetts, was cringing before the home government, and begging the preservation of its civil and religious liberties through the mouth of that profligate adventurer, Lord Culpepper, whose rapacity was among the influences which had landed Virginia in civil war.¹ There is nothing to show that Culpepper did anything for Plymouth. But his conduct towards New England generally, proved the folly of inviting his interference. After an interview with him the Lords of Trade were of opinion that the only remedy for the troubles of New England was a Governor-General.² Four years later, when the fortunes of Massachusetts were at a yet lower ebb, we find Culpepper petitioning for the house which had been forfeited by the attainder of Hugh Peter.³ The place-hunting courtier begging the inheritance of the executed regicide is a dramatically illustrative incident.

Rhode Island too invoked Culpepper's good offices in its territorial dispute with Connecticut, and suggested, with pardonable indifference to the collective liberties of New England, that the King should establish a civil court there for settling boundary disputes.⁴ These proceedings showed the sagacity of Clarendon and Nicolls in proposing to isolate Massachusetts from the other colonies, as a preliminary to overthrowing her liberties.

Randolph's attacks met with resistance from a somewhat unlikely quarter. He reopened the old contention that Charles the First had only established a corporation in England, and that the transfer to America had vacated the patent. The question was referred to the Attorney-General, Sawyer. He showed a foretaste of that honesty by which at a later day he so worthily redeemed his earlier errors. He gave

Dealings of
Plymouth
and Rhode
Island with
the home
govern-
ment.

Sawyer's
opinion on
the Massa-
chusetts
charter.

¹ *Colonial Papers*, 1680, Sept. 5.
² *Ib.* 1685, Sept. 8.

³ *Ib.* 1681, April 16
⁴ *Ib.* 1680, Oct. 5.

the opinion that the colonial government had no right to impose duties on any, whether inhabitants or traders, unless they were freemen of the corporation. But at the same time he declared that the patent of Charles the First distinctly authorized the corporation to hold its meetings in America.¹ The Commissioners of Customs too declined to make themselves the instruments of Randolph's headlong vindictiveness. He proposed to drive away foreign vessels by forbidding them to take in wood or water without the approval of the King's officers. His proposal would have put it in the power of the revenue officers to strip Boston of her foreign trade. The Commissioners, without going into that question, pointed out that it would violate the law of nations.*

In the autumn of 1680 Randolph, probably hoping that his presence might do more than his letters, returned to England. Change of
govern-
ment pro-
posed by
Randolph. With his accustomed industry he was at once at work pressing on the government his favorite scheme of coercion. He brought to bear one new argument. New England, if left to its own ways, would become a home for the "fanaticals."² There is better evidence than Randolph's word for the fact that Massachusetts was becoming a refuge from the tyranny of Charles the Second, as it had been from that of his father.⁴ The same report in which this suggestion was made contained a scheme for dealing with Massachusetts far more detailed and more completely destructive of the liberties of the colony than had been yet propounded. The charter was to be abrogated by a writ of *quo warranto*. Some of the well-affected inhabitants were to be appointed by commission as a provisional government. No taxation was to be imposed and no law passed without the King's consent. The magistrates formally appointed by Gorges in his province were to be restored, and the smaller colonies, that is probably all except Massachusetts, were to be placed under Culpepper as Governor-General.

Subsequent proceedings showed how these proposals fell in with the policy of the English government. The King was now in a position widely different from that which he had occupied

¹ Sawyer's opinion is in the *Colonial Papers* (1681, May 30).

² Report in *Col. Papers*, 1681, Aug. 30.

³ *Col. Papers*, 1681, April 30.

⁴ Letter from Coxe to Bradstreet, Oct. 10, 1684, quoted by Hutchinson (vol. i. p. 346). Cf. a letter from Hemingway to Increase Mather, June 4, 1686 (*Mass. Hist. Coll.*, 4th series, vol. viii. p. 658).

when Stoughton and Bulkeley had been suffered to leave England on such easy terms. The madness of the Popish plot was bearing its harvest of reaction, and the gold of the French king had made Charles for a while independent of Parliament. But though the blow drew nigh it did not actually yet fall. In October Randolph landed in Boston, bringing with him a letter, alarming indeed, yet falling short of what he would have deemed a satisfactory scheme of reform.¹

There was nothing new in the nature of the charges which it brought. Regardless of any unwritten doctrine of limitations such as equity demands in public as in private affairs, the English government revived every accusation which had ever been brought against the colony. Even the proceedings under the *quo warranto* in 1635 were brought up as a ground for action. The great difference however between the present message and any earlier one lay in the nature of the threats by which the authorities in England sought to enforce obedience. Hitherto the misdeeds of the colonists had been treated as shortcomings which were to be remedied by more careful administration. Now the very political life of the colony was endangered. Agents were to be sent to answer for the colony and to "attend the regulation of their government." Failing that, a writ of *quo warranto* would be issued, and after the unmeaning formality of a trial wherein the Crown was a party, the charter would be annulled.

The course of home politics in England must have made the colonists feel that these were no idle threats. Only four months later Randolph is writing to Jenkins that the news had reached Boston that the laws against Nonconformists were in full force, and that a decree of the Court of King's Bench had stripped the City of London, the stronghold of popular liberty, of her chartered rights. Such a warning, Randolph thinks, will bring the colonists to see the folly of further resistance.²

The delay in sending agents was not wholly due to the Fabian policy of the rulers of Massachusetts. Prudent men shrank from the responsibility of representing a state so divided in
 Agents appointed. itself and so unwilling to make allowance for the diffi-

¹ *Col. Papers*, Oct. 4, 1681.

² Chalmers gives this letter (p. 443-6). One passage in it helps to explain what Randolph means by saying that in revenue cases the juries gave damages against the Crown. It states that the tribunals at Boston had required the revenue officers to make deposits before their cases could be tried.

culties of its spokesmen. Stoughton's previous performance cannot have been as unsatisfactory to the bulk of his countrymen as Massachusetts historians would have us believe, since he was now twice elected. But his recollection of the days when he sent home ineffectual warnings of "a total breach and storms of displeasure,"¹ and when for more than a year he was kept in England begging for his release, were too strong for him, and he flatly refused to serve.² Nowell, who was chosen with him, likewise declined the office.³ At length, when the King's letter made it clear that there must be no further delay, two men were found acceptable to the Assembly and willing to serve.

Of one, Richards, we hear but little. He enjoys the honor of being branded by the enemy of Massachusetts as one of the "faction."⁴ Randolph goes on to describe him as a man of mean extraction who had come over as a poor servant.⁵ His colleague, Joseph Dudley, has, unhappily for his own good fame, left a more abiding mark on New England history. Some share of the discredit attaching to his name may be fairly set down to the circumstances in which he was placed. Any falling away from the rugged and unbending patriotism of the early Puritans seemed specially revolting in the son of Thomas Dudley. Judicial fairness was not the peculiar virtue of the New Englander, and a man who was associated, even innocently, with the overthrow of popular liberty could hardly hope for acquittal. An astute diplomatist might have broken the shock and saved something for his country out of the ruin. A high-minded patriot might have defied the oppressors and bore his own share in the evils which he could not avert. But we can hardly blame a man because he lacks the qualities of a martyr or of a successful tactician, though we may blame him for undertaking a task which only those qualities could bring to anything but a discreditable issue. The real blot on Dudley's fame, which may be extenuated but cannot be removed, is that when his country came out of a struggle humiliated, and as it might well seem ruined, he, the servant and representative of that country, came out with enriched fortunes and brightened prospects. There was nothing, so far as one can see, to make Randolph look upon Dudley with

¹ Hutchinson, vol. i. p. 320.

² *ib.* pp. 333-334.

³ *ib.*

⁴ Randolph to Bp. of London, May 29, 1682 (Hutchinson Collection, p. 533).

disfavor. Yet it is clear that, while he reckoned upon Dudley's services, he did not place him among those who were honestly well affected to the King. He judged him to be a man who had his fortune to make, and who could with certainty be bought over by preferment.¹ Dudley was not indeed a traitor of the worst type, a man who builds up a reputation as a patriot and takes it to market. There is nothing to show that he tried to win the confidence of Massachusetts by any special profession of loyalty to her institutions. A man of his temper could have no earnest affection for that political system to which his father had devoted the service of a lifetime. The policy urged by a Puritan of the old stamp, to return Naboth's answer even though we should meet with Naboth's success,² would have been in his eyes mere Quixotism. But a man of such views should have seen that he was out of place in the public life of Massachusetts, and most of all out of place as her spokesman in England. He may well have believed that the blow which overtook his country was inevitable; but he cannot be acquitted of having sought his own profit in it, he can hardly be acquitted of having accelerated and intensified it.

The instructions given to Dudley and Richards show the lack of confidence with which their country regarded them. It is noteworthy that in at least one formal instrument they are called, not agents, but messengers.³ They were instructed to apologize for various shortcomings, such as conniving at smuggling, the infliction of penalties on dissidents in religion, and the restriction of the franchise to church-members, and to promise amendment. They were to protest against any attempt to introduce a system of appeal to the home government. If any attack was made on the charter or on the fundamental constitution of the colony they were to plead insufficient powers. An order which was made by the Court after their departure, that no action should be valid unless approved by both agents, was in all likelihood dictated by distrust of Dudley.⁴

¹ Randolph to Bp. of London, as above (Hutchinson Collection, p. 531).

² Higginson to Increase Mather (*Mass. Hist. Coll.*, 4th series, vol. viii. p. 281). The letter is undated, but was evidently written about 1681.

³ See the draft of the instructions to them (*Col. Papers*, 1682, Feb. 15). The instructions are given in the *Mass. Records* (vol. v. p. 346).

⁴ *Mass. Records*, vol. v. p. 386.

On one point the agents were entrusted with discretionary powers. A thousand pounds was placed at their disposal, to be used, as the Assembly decorously words it, "to improve any meet instrument" for obtaining pardon and the continuance of the charter. Their one attempt in that line was disastrous. Randolph had now a colleague worth of him, a disreputable adventurer named Cranfield. He had been sent out to govern the new province beyond the Piscataqua. His misdeeds there will come before us again. In 1682 he landed at Boston, and counseled the government to try whether a bribe of two thousand pounds to Hyde, the Lord-Treasurer, would not mend their case. The details of Cranfield's plot are not preserved. To assume that a Court official at that day would take a bribe was assuredly not a ludicrous blunder. But Cranfield had to deal with novices in the art of corruption. He so arranged matters that the proposal became matter of notoriety. Dudley wrote home dolefully that they were ridiculed by their best friends at court, and that Cranfield had represented them to the King as "disloyal rogues." Clumsy ones, would probably have more faithfully rendered the views of Cranfield and of his hearer.¹

In real truth the agents had little else to do than to stand up in the name of the colony and receive sentence. The party on whose alliance they might have reckoned was shattered and discredited. There is no proof that Shaftesbury had ever borne any part in the affairs of New England. But his alliance with Puritanism and his keen interest in colonial enterprise must have entitled Massachusetts to rely on his aid. Now any vestige of his friendship was a source of danger. Massachusetts might indeed reckon on one powerful friend. The far-seeing mind of Halifax already perceived, as Burke and Chatham perceived a century later, that English constitutional liberty might be attacked as perilously in America as in England.² But Halifax

¹ The story is told by Hutchinson (vol. i. p. 337). He refers to a letter from Dudley to Bradstreet. The King and his courtiers must have enjoyed the exposure of this Puritan intriguer much as Charles Surface enjoyed Sir Peter's discovery concerning the screen. Cranfield himself refers to the matter in a letter to the Lords of Trade (*Col. Papers*, 1683, Jan. 23). His own defense is that he wished to entrap the agents into "a kind of pleading guilty."

² Macaulay tells, on the authority of Barillon, how Halifax protested against quashing the Massachusetts charter. Barillon's statement fully bears out the interpretation which Macaulay put upon it.

could do little against a party freed from restraint and flushed with victory.

Randolph saw clearly that the tide had turned in his favor, and struck blow upon blow with ever-increasing rancor and confidence.

Randolph again attacks the colony. He had indeed gone so far that he was now, as matter of self-protection, bound to go further. His statement that, if "the faction" triumphed he would be tried on the capital charge of altering the constitution, was fully disproved by later events.¹ But he had been trained in a school where men went into a party contest with their lives in their hands, and even if life were not at stake, position and fortune undoubtedly were. He had found a new ally in the Bishop of London. The letters still remain in which he urges Compton to do his utmost for the subversion of the charter, as a preliminary step to establishing the worship of the Church of England in Massachusetts.²

A suggestion for a compromise made during this summer is worth notice, not for any practical result that it had, but as showing the temper of those New Englanders who sought to avert a struggle and yet save some fragment of their constitutional rights. A scheme was proposed by one **Compro-**
mise pro-
posed by
Daniel.³ Daniel, a Massachusetts magistrate, giving the Crown a voice in the appointment of the Governor and Assistants, without taking it wholly out of the hands of the freemen. Eighteen magistrates were to be elected, of whom the King was to strike off six. Three persons were to be chosen to fill the two offices of Governor and Deputy-Governor, of whom the King was to strike off one. The King was to nominate seven of the magistrates as a court to try revenue cases, and if the Crown failed to obtain a conviction, the offender might be tried again in England. A further proposal was added, and subsequently acted on, that the King should give notice by proclamation that no change in the charter should affect individual rights. But the scheme as a whole had little chance of being accepted, nor was its rejection to be regretted. A system of double jurisdiction may possibly work well if framed in tranquil times, and where there is real community of purpose. The gulf here was far too great to be

¹ Randolph to Lord Clarendon, June 14, 1682 (Hutchinson Collection, p. 537).

² They are in the Hutchinson Collection. ³ It is in the *Colonial Papers*, 1683, July 17

bridged over by any such device, and the attempt would have only raised, instead of quelling, disputes.

In the summer of 1683 the struggle reached that stage which seemed to be its close, though in truth it was rather the first act of the drama. A writ of *quo warranto* was issued, summoning the colony to appear on behalf of its charter. Randolph was sent to Boston to proclaim the fact, armed with a sheaf of papers describing the attack on the charter of London, to be distributed wherever they were likely to have a good effect.¹ He brought also a declaration from the King, craftily appealing to the interests of individuals in such a fashion as to incline them to the party of submission. No man should receive any prejudice on his freehold or estate. Hitherto the colonial government had enjoyed and exercised without challenge the right to levy rates for public purposes. Now, as a foretaste of the new system, and without even waiting for the question of right to be legally settled, the King declared the cost of defending the charter should fall exclusively on those who made themselves a party to such procedure. By this double-edged weapon the so-called faction was deprived alike of adherents and of resources.²

The agents, having no authority from their clients to act in the matter of the charter, returned home. As far as their official and recognized action went their mission had been but an empty formality. But one cannot doubt from later events that Randolph's counsel had been followed, and that Dudley's relations to the home government were matter, if not of direct bargain, at least of understanding.

In December the agents and Randolph reached Boston almost simultaneously. The whole question was at once laid before the Assembly. As might have been foreseen, the two Houses differed. Neither openly and avowedly advocated surrender. But the Assistants took a line which, according to their opponents, could have no other end. The King's express intentions, they said, were, not to annul the charter, but to regulate it. They proposed therefore to throw themselves on the King's mercy, with apparently a

¹ Mass. Records, vol. v. p. 422.

² Mass. Records, vol. v. p. 423.

faint hope that the legal proceedings against them would be thereby arrested.¹

The Deputies on the other hand saw that regulation was but another name for annihilation. In a formal declaration they pointed out that the alterations would in reality be destructive to the life and being of the charter, and that the religious liberties of the colony could not be safe in the hands of a government where Popish counsels prevailed. The evils of defeat could not be worse than the evils of submission. Moreover in submitting they would be opposing the wishes of their constituents.²

Events seemed at first hardly to justify the last statement. The people seemed paralyzed by the approach of a danger against which their leaders could suggest no defense. The contest for the governorship might be looked on as a test election. The two candidates were Bradstreet and Danforth. The democracy of Massachusetts was ever tender of the feelings of those who had held a prominent place in public life, and Bradstreet was the most fitting representative of a Puritanism in which sober decorum had survived the nobler and the harsher characteristics. Yet the Nicias of New England could only command six hundred and ninety votes against six hundred and thirty one polled by his opponent.³ But the most striking feature is that at such a time scarcely one freeman in ten should have cared to record his vote.

Dudley and Stoughton fared even worse than Bradstreet, being among those defeated for the magistracy. Randolph consoled himself by reporting that after the election seventy of the chief merchants and gentlemen on horseback escorted the rejected candidates home. The incident at least shows how the division of parties was largely a division of classes.⁴

There were other signs that if leaders could be passed popular support would not be wanting. The question of surrender was laid before a Boston town meeting. It was addressed by Mather, soon to fight the battle of New England with resolution worthy of its early days, and with

¹ Hutchinson, vol. i. p. 338.

² This document is published in the supplementary collection of Hutchinson Papers in the *Mass. Hist. Coll.* (3rd series, vol. i. p. 74).

³ Hutchinson, vol. i. p. 341, w.

⁴ Randolph to Committee for Plantation (*Col. Papers*, July 26, 1684).

caution and statecraft to which the men of those days could for the most part make no claim. Using what seems to have been an established parallel, he appealed to them not to incur the curse of their posterity by yielding up their vineyard to Ahab. When the question of submission was put to the vote, not a hand was raised in favor of it.¹

Like Englishmen in all ages, the citizens of Massachusetts were slow to perceive a dangerous change. They might know, but they could not feel, that the familiar order of things was passing away. They heard of the overthrow of their liberties as a man in health and youth hears generalizations about the uncertainty of life, as the inhabitants of a country which has for centuries seen no foreign enemy hear warnings of invasion. Like clouds had hung over New England and had rolled away harmless. A temporizing policy had saved the colony before and might save it again. It needed the spectacle of English officers and counselors appointed by the Crown, legislating, taxing, judging, doing all that had been done by the people's representatives, of a Boston meeting-house handed over to the abhorred rites of Anglicanism, to rouse a spirit which was dormant, but still full of life.

A letter is extant written by one of the patriotic party.² It may have been addressed to some leading man in England, or it may

Phileroy
Philopatri-
tris. have been intended for distribution in the colony, as were the letters written in earlier days by Winthrop at

critical junctures in the history of the colony. The author adopts the cumbrous though expressive title of Phileroy Philopatri, and there is a touch of the pedantry from which English literature was fast freeing itself in the exordium, wherein the writer likens himself to the son of Croesus, constrained and enabled to speak by the presence of a great and pressing danger. But in the care with which the question is argued out on constitutional grounds and in its union of sobriety and boldness, the letter is a worthy forerunner of the arguments heard eighty years later. The writer points out that the colonists are differently placed from the members of a corporation in England, in that they have no representatives. He reminds the advisers of the Crown

¹ The meeting is described in a document among the *Colonial Papers*, written by Randolph and entitled by him *Abstract of a letter sent me March 14, 1683, from Boston to New England*.

² *Col. Papers*, 1683, Dec. 14.

how New England had earned the thanks of the home government by victualing the fleet at Barbadoes in 1666, and by their presents of masts. The colony as it stands is a gain to the Crown, and no change can make it more so. The paltry salaries given to the Governor and the Assistants show how little temptation the colony holds out to placemen.

The writer adds arguments of another kind. With a boldness which found no echo in the public actions, he deliberately dwells on the possibility of armed resistance and the chances of success. It may be doubted, he says, whether any bond unites the colonists to the Crown, over and above the charter. Abolish that, and you set them free from their allegiance. He enumerates the various means which could be adopted for subduing New England. The King might send ships and troops, he might leave the colonists without protection, or he might cut off their trade. But what can a fleet do against a population who can withdraw inland, or what can regular soldiers do in the woods? The King cannot injure the colony by withdrawing protection which has never been granted. All the help that the people of New England has yet received has been from God, not from man. The policy of the non-importation agreements which preceded the War of Independence is foreshadowed in the declaration that the colony could "make a shift to live poorly without much trade." The spirit which prompted this defiance was hidden in the years to come beneath a mass of official disputes, but the writing before us shows that the temper in which Franklin and Adams faced George the Third was but a reawakening of that which moved their forefathers.

It is humiliating to turn from this manly protest to the letters of Bradstreet, and to find the old associate of Winthrop and Dudley ^{Servile} begging the King, "like a God on earth," to "per-
^{letters from}
^{Bradstreet.} mit his poor people to enjoy the liberties that they have purchased at so dear a rate." He can meet the charges brought against the colony with no better defense than the plea that many mistakes have been made in the government, but that, all things considered, he has "thought it much that they had not committed more." He adds with grotesque simplicity that several Bos-

¹ The most conspicuously servile of Bradstreet's letters is one written April 21, 1685, to Blathwayt. It is among the *Colonial Papers*, as is an abstract of another.

ton merchants have found smuggling so unprofitable of late years that they have made up their minds to abandon it for the future.

As in the great struggle of the next century, so now there were well-meaning men on each side who strove to ward off a rupture

by proposals of compromise. One such has been already examined. Another is embodied in a paper still extant among our colonial records.¹ It bears no date,

and it is therefore impossible to say whether the proposals were made after the charter had been annulled or while the blow was yet impending. The scheme is simple and equitable. The King is to appoint a Governor and a Council, who are to form the supreme judicial tribunal. There are to be annual elective Assemblies, and no tax is to be levied without their consent. The qualification for voters is to be that recognized by English law. The King is to grant a general pardon for past offenses, and to proclaim freedom of conscience. Cambridge University is to retain its privileges and revenues, and Boston on "dutiful application" is to be incorporated. The proposal in fact was to put Massachusetts on the footing of a Crown colony after the pattern of Virginia. Such a scheme would have done little to gratify the greed and vindictiveness of men like Cranfield and Randolph. But though it probably found no advocates now, it was substantially that adopted by the Crown after the Revolution.

Meanwhile the legal proceedings in England ran their course. The government of Massachusetts authorized Robert Humphreys

to act as their counsel. There is reason to think that he was so far successful as to frustrate the proceedings in the Court of King's Bench, and to oblige the

Crown lawyers to transfer the case to Chancery. There, in June, a decree was issued canceling the charter, with a reservation that the defendants might appeal on the first day of the following term. That however was a mere formality, since no regular notice was given to the defendants. The time appointed passed, and the process of annulment became legally complete. The battle was over, and it seemed as if for Massachusetts the forms and the spirit of constitutional freedom had alike passed away.

¹ It is undated and endorsed "from Mr. Wharton."

² The legal proceedings are stated shortly by Hutchinson. Mr. Palfrey goes at great length into the motives which may have caused the transfer of the case to the Court of Chancery.

Meanwhile a drama had been enacted on the borders of Massachusetts which showed what arbitrary government by a nominee of the Crown really meant. Mason's visit to New Hampshire had proved that the change of government there was not in itself of much advantage to him. But in one way it might be made so. If he could enlist the newly-framed government in his interest, then the lack of any popular control would make things easy for him. The opportune death of Cutts enabled the scheme to be carried out.¹ By some intrigue, of which the actors have succeeded in obliterating the traces, the governorship was bestowed on Edward Cranfield.² His exploit in misleading the Massachusetts agents was significant, but it was a venial freak of malevolence compared with his doings in his own colony. Nothing can show more fully how colonial administration had deteriorated since the days of the first Lord Clarendon than the appointment of Cranfield. Randolph, vindictive and unscrupulous as he was, was something better than a mere instrument of extortion. The policy of the Crown towards Massachusetts was harsh, narrow, and ungenerous, and left room, no doubt, for corruption. Still it was an administrative policy, and Randolph's very faults made him in some ways a fit instrument for carrying it out. But Cranfield was a mere political freebooter, and went to his task in the spirit of a Roman proconsul in the worst days of the Republic, of an Indian official in the worst days of the Company. He advanced Mason a sum of money on his territorial claim, receiving as interest a hundred and sixty pounds a year. By this arrangement it became to the advantage of Cranfield to secure Mason a good annual return from his estate, and also to increase its permanent value.³

Unluckily our knowledge of Cranfield's doings in his province rests mainly on the testimony of his victims. But what his letters tell us of his conduct and opinions at least shows that there was no improbability in the charges brought against him. In describing the trap which he had laid for the Boston agents, he shamelessly avows that he "writ in their favor to insinuate himself into their counsels."⁴ In the midst of his administration he leaves his

¹ According to Mr. Borton, Cutts died March 27, 1681 (*New Hampshire Provincial Papers*, p. 310). ² *Colonial Papers*, 1682, March. ³ Belknap, p. 96.

⁴ See the letter quoted above.

duties and goes off to Boston, as he says himself, "on purpose to pry into the intrigues and politics of the government." His specific for curing the evils of New England is the overthrow of the college at Cambridge. He is never weary of denouncing it. It is the place "whence these half-witted philosophers turn either atheists or seditious preachers."¹ It "sends forth rebellious trumpeters," and supplies all the colonies "with factious and seditious preachers." Such was the man who was to teach the people of New Hampshire the advantage of being transferred from the control of Massachusetts to that of the Crown.

For more than three years Cranfield ran his course of extortion and tyranny. A series of actions of ejectment were brought by Mason or by small holders in collusion with him, and <sup>His admin-
istration.</sup> were tried by packed juries.² The more patriotic and reputable members of the Council were removed without reason given.³ An arbitrary value was assigned to Spanish silver, and the settlers were forced to take it as legal payment.⁴ Before Cranfield had been in the colony a year his misdeeds provoked what was treated as a rebellion, though it seems rather to have deserved the name of a riot. The character of the leader, Gove, who was certainly a drunkard, and seemingly a madman as well, compelled the more reputable inhabitants, such as Waldron, to side with Cranfield in putting down the outbreak. Gove's accomplices were pardoned. He himself was sentenced to death, but his punishment was commuted to three years' imprisonment.⁵

To do Cranfield justice, he does not seem to have been a man of blood. With almost grotesque ingenuity he discovered in every political and every judicial incident an opening for making profit. As his chief opponent in the colony said in a formal petition to the Crown, "he came for money, and money he will get."⁶ The Assembly refused to levy a rate for general purposes of government. The refractory members were punished by being appointed constables, a post from which each had to exempt him-

¹ Cranfield to Commissioners for Plantations (Oct. 19, 1683).

² Vaughan's Journal; cf. Weare's Complaint to the King and Privy Council.

³ This is stated by Belknap (p. 101), apparently on the authority of the records.

⁴ Weare's Complaint. The answer of the Privy Council takes this charge as proved (Belknap, App. p. 504).

⁵ Belknap, in his account of Gove's insurrection, refers to manuscript letters written by Gove himself. Randolph sent a report of the affair to the Lords of Trade. It is in the *Provincial Papers* (pp. 168-73). Apparently it is endorsed by Waldron.

⁶ Vaughan's Journal in Belknap (p. 481).

self by a payment of ten pounds.¹ When the settlers drew up a petition against their Governor to be laid before the King, Cranfield expressed a wish that he could discover the offenders. "It would be the best haul he ever had, worth a hundred pounds a man."² Beside these civil disturbances Cranfield contrived to embroil himself with the settlers on ecclesiastical matters.³ In December 1683 he issued an order that all persons not vicious nor scandalous in their lives should be admitted to the two sacraments. This order was, if not designed, at least speedily used as a weapon for a personal attack. In a revenue case one of the Crown witnesses was suspected of perjury. Moody, the minister of the church to which the witness belonged, denounced him, or at least his offense, from the pulpit, and excluded him from the Lord's Supper. Thereupon the Governor informed Moody that he himself, Mason, and another of their party should present themselves as communicants. As expected, they were refused admission. For this offense Moody was tried and imprisoned. Four of the six magistrates before whom the case was tried were at first for acquittal. Two of them however were terrified into giving way, and the other two were afterwards punished by deprivation.⁴ It is added that Cranfield then sent a message to Cotton, the minister at Hampton, that he intended to present himself in like fashion at his church.⁵ We may believe that even statesmen who were willing to use the Eucharist as, in Cowper's words, "the pick-lock to a place," would have shrunk from making their own reception thereof an instrument of personal malevolence.

In 1684 an attempt to levy a rate in direct defiance of the vote of the Assembly was met in each of the townships by armed resistance, against which Cranfield was wholly powerless.⁶ At the same time his victims were opposing him by more lawful means, and had sent home a petition to the King setting forth the various misdeeds of the Governor.⁷ By the time that their petition came on for consideration a new spirit, and in some ways a less dangerous one, was at work in colonial politics.

¹ Vaughan's Journal in Belknap (p. 480).

² Deposition of Peter Coffin in *Provincial Papers* (p. 232).

³ For these proceedings against Moody see Belknap (pp. 104, 105) and *Provincial Papers* (vol. i, pp. 182-6).

⁴ Vaughan's Diary, p. 477.

⁵ *Id.* p. 479.

⁶ Deposition of John Foulisam, Constable for Exeter (*Provincial Papers*, p. 212).

⁷ *Id.* p. 216.

The isolated outrages of Cranfield would interfere with more comprehensive schemes of arbitrary government. He himself too had little motive for holding to his post. The bargain with Mason had proved a failure. The settlers had shown a temper which an English official of the Court party could hardly have foreseen. It must have been clear to Cranfield that a career of extortion meant a career of civil war, in which success must be doubtful. The Lords of Trade reported that Cranfield had perverted justice in the cases arising out of Mason's claim, and had exceeded his power in determining the value of coin.¹ He was not however actually displaced, but was allowed to vacate his office in a somewhat informal fashion.² His three years of office had done something to strengthen the hands of the Massachusetts patriots. If any New Englander was halting between submission and resistance, the spectacle of Cranfield governing New Hampshire might well turn the scale.³

¹ Report of Lords of Trade (*Provincial Papers*, p. 238).

² The King, by an order in Council, allowed Cranfield to go to Jamaica or Barbadoes for his health (*Col. Papers*, 1684, Aug. 6). He did not however avail himself of the permission for nearly a year.

³ A letter from Randolph to William Lloyd, Bishop of St. Asaph, March 28, 1685 (Tanner MSS., in the Bodleian Library, vol. xxxi. fol. 7), shows that the writer was fully alive to the mischievous effect of Cranfield's administration.

CHAPTER V.

THE REVOLUTION IN NEW ENGLAND.¹

THE overthrow of the charter left Massachusetts without a constitution, and in direct dependence on the Crown. The first act

¹ Our knowledge is still largely derived from papers in the Record Office. A valuable collection of documents referring to the Revolution has been published by the Prince Society of Boston, under the title *Andros Tracts*. The most important of these are, *An Account of the late Revolution in New England, together with the declaration of the Gentlemen, merchants and inhabitants of Boston and the country adjacent, April 18, 1689*. Written by Mr. Nathaniel Byfield, a merchant of Bristol in New England, to his Friends in London. The Declaration is in twelve heads. It is not signed. To this there is a reply entitled *An Impartial Account of the State of New England, or the late government there vindicated in answer to the Declaration which the Faction set forth when they overturned that government*, by John Palmer. This called forth a rejoinder, *The Revolution in New England Justified*. Both this and Byfield's pamphlet are also published in the fourth volume of Force's Collection. There are also in the *Andros Tracts* some smaller pamphlets by Increase Mather. There is also prefaced to the first volume a very full and careful sketch of Andros, by Mr. W. H. Whitmore. The Journal of the proceedings of the Council at Boston under Dudley, and then under Andros, is in the Record Office, and is of value. It forms *Entry Book*, No. 64.

There is a gap in the records of each of the colonies when Andros comes into power. Those of Massachusetts break off at May 1686, beyond which the printed collection does not as yet extend. In the Plymouth Records there is a break from October 1686 to June 1689. Those of Rhode Island also are interrupted in 1686, but Mr. Bartlett has preserved several documents belonging to the period when Andros was in power.

In the Connecticut Records there is a list of members elected May 1687, but no records of their proceedings. Instead it has simply a declaration that Andros has taken the government into his hands. Below, in the handwriting of Secretary Allen, is the word "Fins."

Our knowledge of Increase Mather's doings is mainly derived from his biography by his son. It is entitled *Parentator, or Memoirs of Remarkables in the Life and Death of the ever memorable Dr. Increase Mather*, Boston, 1724. So much of it as refers to Mather's proceedings in England is extracted and published in the *Andros Tracts*. In reading it we must always be on our guard against Cotton Mather's combination of filial love, vanity, and inaccuracy. Sewall's Diary now becomes an authority of great value.

The *Collection of Documents relating to the Colonial History of New York*, edited by Mr. Fredhead, now becomes valuable.

For Indian affairs we have Cotton Mather's *Decennium Luctuosum*, an account of the Indian war from 1683 to 1698. It forms part of the seventh book of the *Magnalia*.

of the King was to appoint a Governor. His choice fell on Kirke.¹ His capacities as an instrument of tyranny had not yet been fully revealed. But a soldier fresh from garrison duty at Kirke appointed Governor. Tangiers could hardly find favor as a ruler in the Puritan commonwealth.

Not once only at a crisis in her history had Massachusetts been saved by some unforeseen turn of events wholly apart from the deliberate action of her citizens. So it was now. The death of Charles made it needful to draw up a new commission for Kirke. Before it could take effect he was called elsewhere, to deal with an emergency more pressing than the disaffection of Massachusetts.

The well-known saying of Charles that no one would kill him to make his brother king was perhaps less applicable to the colonies than to England. Massachusetts indeed could not hope to be again the free commonwealth which she virtually had been for more than forty years. But she might at least hope for something better than the rule of men like Kirke or Cranfield. As the proprietor of New York and as High Admiral, James had been brought into contact with the colonies. As an administrator he was far from incapable. Popular rights might fare badly at his hands. But the union of carelessness and rapacity which prompted Charles to let loose a succession of hungry adventurers upon the colonies found no place in the character of his successor. Moreover, while the churchman in England had exchanged a ruler who was, at least in his policy, an Anglican, for an avowed and aggressive Papist, to a Puritan in Massachusetts this was but a transfer of power from one form of superstition to another only a shade, if a shade, more odious.

The accession of James was not marked by any immediate administrative change. In the middle of April 1685 the news of the King's death reached Boston,² and a week later proclaimed. James was formally proclaimed with a somewhat unusual amount of pomp.³ For more than a year the doomed polity lingered on, preserving its outward form unimpaired, but with a manifest loss of all real life. The destruction of the char-

¹ I cannot find Kirke's commission among the *Colonial Papers*, but his appointment is mentioned in a letter from Blathwayt to Grey, the Secretary of the Customs, Nov. 22, 1684 (*Col. Entry Book*, No. 61, p. 218).

² Sewall, vol. I. p. 69.

³ *Id.* p. 70.

ter seems to have paralyzed the party of resistance, by cutting away their constitutional standing-ground. A petition to the King, faintly and mechanically repeating the old pleas for forbearance, was the only symptom of vitality.¹

In May 1686 the King took the first step towards bringing Massachusetts into direct dependence. The government was placed in the hands of a President, a Deputy-President, ^{Dudley appointed President.} and a Council of sixteen. The appointment of Dudley as President showed that the liberties of the colony were for the present to be sapped, not violently overthrown. The whole arrangement was avowedly provisional. The Council might neither make laws nor impose taxes. At the same time nothing was done towards continuing the representative Assembly, nor was there any compensating means provided by which the people might have a voice in their own affairs. The authority of this government was not only to include Massachusetts, but to extend to Maine, New Hampshire, and the King's Province. The affairs of these four colonies were to be conducted in a special Court held at Boston three times a year.

The meeting at which Dudley announced the change of system is described by Sewall, himself a member of it.² The diarist was no great master of dramatic effect, but the unwonted fullness of his details shows how deeply the occasion had impressed him. Sadly indeed must a Puritan of the old school have felt the changed state of his country, when he saw those who inherited the blood and bore the names of Winthrop and Dudley sitting beside Randolph and Mason among the spokesmen of arbitrary power. With a faint expression of formal regret, which must have sounded like mockery, Dudley produced his commission and announced that he could no longer deal with his hearers as a Governor and Company, but only as private persons. He added words which may have been really the result of insensibility, but must have sounded like sarcasm, telling his hearers that they were not to think themselves "escaped from a strict and severe government, and to allow themselves in debauchery and ill-living." There

¹ Mass. Records, vol. v. p. 495.

² Strange to say only a fragment of Dudley's commission seems to have been preserved. That is printed in the *Massachusetts Historical Collection*, 1st series, vol. v. p. 244, and in the *Rhode Island Records*, vol. iii. p. 195.

³ Sewall, vol. i. p. 138.

were some who would still have raised a protest. But the view of the majority was embodied in the spiritless doctrine of Sewall's own speech: "The foundations being destroyed, what can the righteous do?"

Sewall's diary paints in vivid colors how a Puritan of the now prevalent type, orthodox but unenthusiastic, viewed matters during the six months of Dudley's presidency. To Sewall's Diary. Endicott, and to those who believed as he did, the cross in the flag was an abomination which would bring a curse on New England. Sewall liked it as little. But no thought of protest seems to have passed through his mind. His fear was, "If I should have a hand in it, whether it may not hinder my entrance into the Holy Land," a danger which was seemingly increased by the fact that he had himself supplied the silk for it.¹ He records other melancholy symptoms of the lapse from primitive purity. Not only have two Anglican clergymen found their way to the colony, but they have been permitted to celebrate three funerals.² The appointment of Dudley was made yet more odious by becoming the occasion of drinking healths.³ The periwig too has appeared, though there Sewall can console himself by recording the wretched death of the barber who brought in the abomination.⁴ But Sewall writes throughout as the moralist bemoaning the corruption around him, not as the politician eager to clear away or rebuild.

No doubt the moderation of Dudley and those who acted with him had a share in this. They even petitioned for a continuance of the right to coin money, a claim which had been Policy of Dudley. among the acts whereby the colonists had incurred the displeasure of the King.⁵ There was more of seeming than real liberality in their proposal to the home government to permit "a well regulated Assembly" to represent the people in making needful laws and levies.⁶ The process of "regulation" would probably have left the colonists little of the benefits of self-government.

The best evidence that patriotism was not wholly extinct is to be found in the railings which Randolph continued to pour

¹ Sewall, vol. i. p. 147.

² *Id.* p. 107.

³ Journal of Council, pp. 24, 25.

⁴ *Id.* p. 157.

⁵ *Id.* p. 158.

⁶ *Id.*

forth.¹ The recent changes, he says, have affected only the form, not the real spirit of the government. Disaffected and excommunicated ministers still flock over and hold places of honor and profit. The clergy had for the most part openly professed their sympathy with Monmouth. All political and military offices are monopolized by members of the Independent churches. The special object of his indignation is Dudley. He is now "a man of base, servile, and anti-monarchical principles"; "all sober men find themselves abused by the false President," and long for the coming of a more thoroughgoing ruler.

These hopes were not to be long deferred. In June 1686 Andros was commissioned as Governor,² and in the following December he landed at Boston.³ His earlier relations with New England, slight as they had been, must have sufficed to beget an unfriendly feeling on each side, while at the same time they showed that his character was not that of a really dangerous enemy. If his appointment had followed immediately upon the threat of Kirke's, it might have been welcomed as a respite, and Andros might even have entered on his task with something like popular sympathy. But by the temporary appointment of Dudley the King and his advisers had done much to clog their future policy with difficulties. They had given the New Englanders breathing time, and enabled the patriotic party to prepare their ground and to infuse something of their own spirit into their countrymen. Dudley's appointment was no doubt intended as a step towards undermining the liberties of New England. In real fact he did nothing to further the policy of his successor, something to prejudice it by contrast with his own unlooked-for moderation.

Andros had been recalled from his government of New York in 1681. The ground of his recall was certain alleged maladministration. The charges however resolved themselves into a trivial and pardonable act of negligence, and though not reinstated in office Andros seems to have suffered

¹ Several of his letters written during this time to official persons in England are in the Hutchinson Collection (pp. 538-553).

² Andros's commission is printed in the Rhode Island Records (vol. III. p. 212).

³ Sewall, vol. I. p. 159.

⁴ The facts of Andros's recall are set forth by Mr. Brodhead in the *History of New York* (vol. II. pp. 343, 357).

nothing in the good opinion of his masters. He held no colonial office during the latter years of Charles's reign, but obtained some small court preferment and a commission as lieutenant-colonel.¹

His new jurisdiction went beyond that of Dudley's Presidency, inasmuch as it took in Plymouth. He was to act in conjunction with the Council which already existed. Five of this Nature and extent of his powers. body were to form a quorum. Vacancies in it were to be filled by the King, but if the number of residents fell below seven, the Governor might bring it up to that number by provisional appointments to be confirmed by the Crown. Andros was also authorized by a supplementary order to appoint, in conjunction with half of his Council, a Lieutenant-Governor.

As an attack on the institutions of Massachusetts and on the rights of the citizens, the operation of the commission was three-fold. The declaration that liberty of conscience was to be allowed to all persons was qualified by a recommendation that such as shall be conformable to the rites of the Church of England shall be particularly encouraged. This provision, when administered by Randolph and Andros, was certain to mean the total exclusion of all Nonconformists from positions of influence.

Furthermore, all political power was at one stroke taken out of the hands of the people. The Governor and Council had full authority to levy taxes, to administer the finances, and to make laws to be afterwards ratified by the Crown. A commonwealth whose citizens had been trained up in the full rights of self-government and the full enjoyment of debate, where every town had its little parliament, and where a legislature chosen by the people met and acted under the broad daylight of public opinion, was suddenly to be ruled by a council of strangers, against whom there was no veto and no appeal. All those devices of tyranny which Englishmen had resisted even where they were rare and exceptional were now adopted as part of the regular machinery of government. Englishmen had rebelled forty years before because a king claimed the right to supplement parliamentary taxation by his own act. Englishmen were soon to rebel, perhaps even now were plotting rebellion, because a king claimed the right to override the statute law in exceptional cases. New England was asked to accept a system in which all taxation was

¹ *Andros Tracts*, vol. i. Introduction, p. xxii.

modeled on ship-money and all legislation on the exercise of the dispensing power. The personal character of Andros might offer some security against gross abuses. Measured by the standard of his contemporaries he might almost be called a good man. But it was far more likely that his successor would be a greedy adventurer like Culpepper, or that and a Papist to boot, like Lord Howard of Effingham.

There was yet another feature in the commission perhaps more repulsive to the settlers than the subversion of their political liberties. The advice given by Randolph at an earlier day was now accepted, and Andros was authorized to grant land upon quit-rents. The clause of the commission by which this power was conferred sounded comparatively innocuous. It was limited to such lands as were or hereafter should be in the power of the Crown. But all soon learnt, and some we may be sure foresaw, that this was intended as a comprehensive claim to the soil of New England. The theory accepted by the Crown was that no claim based either on a grant from the Massachusetts Company or on purchase from the Indians was valid, and that no New England settler had ever acquired a legal title to his lands.¹ Such an attack on property would have struck terror into any community. But it was above all calculated to strike terror where the chief wealth of the people consisted of the improvements which their own labor had wrought on the face of the soil. It is but just to Andros to say that no gross cases of extortion or oppression seem to have arisen out of the power thus placed in his hands. But the people of New England were too far-sighted to be content with a security which rested merely on the forbearance of a single man.

When the day of reckoning came, and when Andros and his creatures were called to account for their misdeeds, the accusation and the defense turned largely on detailed cases of mal-administration and tyranny. This was but natural. For the majority of men the most cogent arguments against a system are to be found in the incidental abuses which have arisen from it, though they may be nowise essential. It was but natural too that the defenders of Andros should follow the contest on to this ground, and endeavor to pare

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¹ On this point the evidence of both sides agrees. See *Andros Tracts*, vol. i. pp. 15, 48, 92

down the charges and to meet them with recrimination. But in real truth all such discussion does but touch a side issue. No one who understood the temper of the colonists could suppose that the new system could be introduced without conflict, or that in such a conflict there could fail to be excesses on each side. The real blame lay not so much with those who were guilty of the particular acts, as with those who had provoked the struggle. If the misconduct of the colonists had made a total subversion of their liberties needful, then we may fairly lay at their door the guilt of what followed. Yet even so we can hardly acquit the King and his advisers of culpable haste and indiscretion, both in the suddenness of the attack and in the choice of instruments. But if we hold that the powers granted to Andros were a reckless invasion of popular rights, then assuredly the English government becomes responsible for every act of injustice and for all the misery which resulted from the struggle.

To deal with the case as one of constitutional precedent is mere advocacy or mere pedantry. It might be that the Massachusetts charter had been overthrown in due course of law, and that with it perished all those political rights to which it had given birth. It might be that no settler in New England had acquired a title to his land which could be recognized as valid by English law. The defenders of Andros might be right in contending that a corporation could not create a corporation, and that therefore no town in New England had any legal status.¹ Precedent on precedent might be adduced to show that the colonies were "subject to such laws, ordinances, and forms of government as the Crown shall think fit to establish."² The question for statesmen, whether then or eighty years later, was not, how far did the legal rights of the Crown reach? but, how far was it wise or safe to enforce those rights? Was it likely that a people who for nearly sixty years had enjoyed virtual independence would submit to see the whole fabric of freedom swept away without compromise or compensation? It might be that political power was in the hands of a privileged class. But the rights of an oligarchy are not generally those which are held with least tenacity. The self-government of New England had no doubt been abused as an

¹ *Impartial Account*, p. 28.

² *Id.* p. 18.

instrument of tyranny. But though that might palliate the injustice, it did not lessen the folly of the attack.

The policy of the English government had for a while deprived Massachusetts of any collective means of protest. At such an emergency her municipal system stood her in good ^{Resistance} _{at Ipswich.}¹ stead. The mode of taxation adopted by Andros was not unlike that already in force, save that the general assessment was made, not by the representative Assembly, but by the Governor and Council. It was then left for the freemen of the town itself to appoint a Commissioner and Selectmen, who should apportion its tax among individuals. The men of Ipswich, as we have seen before, had always borne themselves somewhat independently and with no great regard for Boston. They now came to the front on behalf of the endangered liberties of their countrymen. At the meeting to elect a Commissioner several of the townsmen protested against the imposition of taxes without the consent of the taxed, and induced the meeting to pass a motion refusing to impose a rate unless it were voted by a General Assembly. Those who promoted this course were persons of good estate, headed by John Wise, the minister of the town. For this offense six of the chief inhabitants of Ipswich were arrested and prosecuted. The bench which tried the case was nominated by Andros. It consisted of Dudley and Randolph, of Usher, the Treasurer of the colony under the new government, and of Stoughton, who, though honest, assuredly brought no independence nor public spirit to outweigh the servility of his colleagues. It is also said, but this is only an *ex parte* statement, that the jury was a packed one, consisting chiefly of strangers who had no freehold estate in the colony.² The accused were convicted, remanded to prison for three weeks while their sentence was under consideration, and then punished by disqualification from office and by fines varying from fifty pounds to fifteen. At the same time they were compelled to find security for good behavior, some a thousand pounds, some five hundred. Wise was suspended from his office as minister. The incidents of the trial were as significant as its result. The accused pleaded that their action was

¹ The Ipswich case is very fully set forth in *The Revolution Justified* (pp. 21-5). The sentences are given from the records, and the proceedings are described in affidavits made by the actors.

² The affidavits mention this with the reservation, "It is said."

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but in accordance with the laws of England and with Magna Charta. To this Dudley replied that they were not to fancy that the laws of England followed them to the ends of the earth. It is added on the authority of Wise that, when he was under examination before the Council, Dudley addressed him in the same strain, but even more insolently, telling him that New Englanders had no rights left them beyond mere personal freedom. It seems far-fetched to suppose that Dudley wished in his heart to bring contempt upon the system which he administered. Yet such open cynicism, coming too from one who must have known something of the temper of his countrymen, almost justifies the suspicion.

The proceedings of the men of Ipswich showed Andros the quarter from which resistance might be expected. Accordingly in March 1688 an order of Council was issued limiting town meetings to one a year, and thereby stripping the colonists of their most effective weapon of defense.¹

The power of overriding all established titles to land had been vested in the Governor and his Council, and it was not allowed to be a dead letter.² As I have said, Andros does not appear to have abused it for wholesale purposes of extortion. But enough was done to beget a universal feeling of insecurity. Even where possession of land was not threatened, the legal formalities needed to make good a title were irksome and costly. Moreover one of the peculiar features of the New England land system, the possession by the towns of large common pastures, gave special scope for encroachment.³

It is clear too that over and above its essential vices the government of Andros was perpetually irritating the moral and patriotic feelings of the colonists. Andros himself neither offended them by profanity nor profligacy, and he seems to have shown as much urbanity to the citizens of Massachusetts as could be expected from a soldier and courtier towards men whom he regarded as rebellious fanatics.⁴ It was not the supremacy of Andros nor of officials like him that was most galling to New England patriots. It was the sight of men

¹ This order is published in an Appendix to the Connecticut Records (vol. iii. p. 429).

² *The Revolution Justified* gives several instances of this. See especially p. 36.

³ *The Revolution Justified*, p. 32.

⁴ Thus Sewall mentions (vol. i. p. 181) how Andros called in passing at his house and drank wine there, and how he attended a degree day at Cambridge.

who had hitherto been denied a share in the political life of New England and of place-hunters from New York set in high office.¹ If Andros had been a better and wiser man than he was, he could hardly have kept his hands pure from all the machinery of harsh and corrupt government, or avoided the abuses of vexatious prosecutions, of informers, of packed juries. Doubtless, if the whole struggle could be reproduced in detail, we should find no lack of meanness, of faction, of intrigue on the popular side. But in such a case it is idle to assess the exact blame of every outrage or to strike a balance of misconduct. The real fault lies, not with the immediate actors on each side, but with the government which has provoked a needless conflict.

There was yet another ground of dissension between Andros and those under his control. He was a churchman, not on political grounds, but from personal conviction. We may safely assume from the silence of his enemies that no suspicion of a corrupt motive nor of hypocrisy attached to his orthodoxy. Nor does he seem to have approached ecclesiastical questions in the polemical and aggressive spirit of Randolph. Yet it was possible to stop some way short of that and yet to offend the religious sentiment of Massachusetts.

Before Andros assumed office the Episcopalians, supported by Randolph, had made an attempt to obtain a footing in the colony. The result was a prolonged struggle waged on neither side with any great dignity. In the spring of 1686 Robert Ratcliffe, an Episcopalian clergyman, landed at Boston.² He petitioned for the use of one of the three churches belonging to Independent congregations. As was but natural, this was refused, but by way of compromise he was suffered to use a part of the town hall till his followers should provide a proper place of worship.³ Occasional short notices in Sewall's journal show that service was periodically conducted after the Anglican form, and that marriages were celebrated. At the same time the form of the entry, "It is said that the sacrament of the Lord's Supper is admin-

¹ The Declaration appended to Byfield's account (p. 13) describes the colony as "squeezed by a crew of seditious persons fetched from New York." Palmer (p. 23) virtually evades this point.

² I do not find any record of his arrival. He is first mentioned in May by Sewall. He mentions him by name (p. 141), and probably refers to him (p. 139) as "Mr. Randolph's chaplain." Probably Ratcliffe came out with Randolph in the *Rose* frigate.

³ Sewall, vol. i. p. 141.

istered at the town house," implies that the diarist looked on it as an abomination which he would rather know of only by vague hearsay.¹ The very fact that Randolph was among the chief supporters of the movement must have been enough to make it odious in the eyes of the patriotic party, and the arrival of Andros must have enhanced this feeling. On the very day on which the Governor landed he reopened the question of using one of the meeting-houses for Episcopalian worship. A meeting was held, at which the ministers with four members of each congregation considered the request. The result was that next day "Mr. Mather and Millard thoroughly discoursed his Excellency about the meeting-houses in great plainness, showing that they could not consent."² It is but fair to Andros to add, that he seems to have taken the answer in good part.

For the present Church of England service was celebrated in the town hall. But in March Andros renewed his attempt.³ This time he made his request in a less courteous form. The church for which the Governor applied was that whose origin seventeen years earlier formed so singular a chapter in the ecclesiastical history of Boston. Randolph was sent for the keys of the building. They were refused, and the Governor thereupon fell back on the undignified expedient of getting possession by the help of the sexton. The joint use of a place of worship could only work smoothly where there was at least mutual toleration, if no active good-will. The Puritans complained that the Episcopalians willfully prolonged their worship to the hindrance of the lawful owners.⁴ Probably, if we had a diary from the Episcopalian side rivaling Sewall's in detail, we should find similar grievances set forth. At length, more than a year after the Governor's raid on the meeting-house, the matter came to a head. Hitherto the Nonconformists had celebrated their worship first. But as it would seem, an unwontedly long service encroached on the time required by the Anglican minister.⁵ Andros then proposed that the Church of England congregation should use the building first. Thereupon Sewall and one Frary went to the Governor to remonstrate in the name of the Nonconformist church. The interview is described by Sewall in graphic

¹ Sewall, vol. i. p. 146.

² *Ib.* p. 171.

³ *Ib.* vol. i. p. 216.

⁴ *Ib.* p. 162.

⁵ *Ib.* pp. 177, 180.

fashion and with ample detail.¹ The Governor at first would have contested the legal title to the building. Baffled on this point, he complained that the Nonconformist congregation had needlessly prolonged their services. They retorted by alleging that the Governor had promised that on special occasions they should have exclusive possession. This he seems to have taken as an imputation of bad faith. He put forward the singular plea that those who claimed the building had originally "rent off from the old church against the government," and had bought the site clandestinely. There had been threats, he said, to hold the church against him by armed force. He then wound up with an undignified appeal, asking his opponents to help towards the building of an Anglican church. They would pay, he said, to free their church from any nuisance; would they not pay to rid it from what they reckoned the pollution of Prelacy? There was more dignity and better argument in the answer. How could they help to set up the very thing which they had left England to avoid? Would the bishops have consented to bear any share towards building meeting-houses in America? Stormy though the interview was, the result seems to have been satisfactory. Sewall reports the Anglican services of the next Sunday with the comment, "so we have very convenient time," and nothing is said of any further dispute.²

In another matter the Governor gave needless offense. The New England law courts had never adopted the custom of requiring a witness to kiss the Testament. Instead, the oath was invariably accompanied with the gesture of raising the hand. The English usage was hotly denounced by Puritan teachers, as giving to the creature the honor due only to the Creator, and as a direct violation of the scriptural precept against swearing by any visible or corporeal object. On this point it is not easy to see how the Puritan could logically stop at any position short of that held by the Quaker. But the logic of the question was not a matter which concerned Andros and his

¹ Sewall, p. 217.

² *Ib.* p. 219.

³ The literature of the Andros dispute is full of references to this dispute. In the first volume of the *Andros Tracts* there is a monograph on the subject by Samuel Willard, entitled *A Brief Discourse concerning that ceremony of laying the hand on the Bible in Swearing*. Palmer in the same volume defends it, but can bring no better argument than the usage of the English law courts. Sewall refers to the dispute more than once (vol. i pp. 208, 212, 216).

counselors. There was no pretense that justice was in any way hindered by the New England practice. The question was one on which the feeling of the colonists was strong and, as it would seem, unanimous. More than one pamphlet was written against the innovation. Yet Andros, with the impracticable obstinacy of a slow-witted official, insisted on the English usage, and thus withheld justice in cases where a conscientious scruple forbade witnesses to conform.

There were other grievances, less definite but not less real. The inroad of soldiers and officials brought with it an atmosphere wholly odious to the orthodox Puritan. Sewall's diary is full of passages which remind one of the Maccabean chronicle, with his lamentations over the "Greekish fashions" brought in by the "ungodly Jason." The law, backed by public opinion, was still strong enough to drive out such abominations as dancing-masters and conjurers.¹ In substantial matters, as we should now consider them, the English soldiers seem to have been orderly and well behaved, since the Puritan chroniclers can only record one open act of vice against them.² But swordsmen about to fight a match paraded the town in colors with their backers.³ Cocks were pelted on Shrove Tuesday,⁴ and a maypole was set up at Charlestown. The Puritan spirit was not so extinct as to suffer this without resistance, but though the pole was once cut down, Sewall sorrowfully records that it had been replaced by a larger one.⁵ The new-comers too celebrated public rejoicings with little regard to New England associations or to the susceptibilities of the citizens. The thundering of the cannon which commemorated the accession of James broke in on Sunday ministrations of the meeting-houses. "'Twas never so in Boston before," is Sewall's comment.⁶

Before Andros reached America the English government laid the foundation for an administrative scheme which would take in all the New England colonies. In July 1685 simultaneous attacks were made on Connecticut and Rhode Island. Formal charges against each colony were drawn up by Randolph and laid before the Privy Council.

Against Connecticut it was alleged that the colonists had passed

¹ Sewall, vol. i. pp. 112, 121, 196.

² *Id.* pp. 173, 175.

³ *Id.* p. 167.

⁴ *Id.* p. 167.

⁵ *Id.* p. 226.

⁶ *Id.* p. 178.

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acts contrary to the laws of England, that they imposed an oath of fidelity to the colony instead of the oath of supremacy and allegiance, that they excluded loyal subjects from a share in government, that they fined churchmen for non-attendance at congregational worship, and that they inflicted illegal fines and refused justice to the King's subjects.¹ Somewhat similar accusations were brought against Rhode Island. No charge could be made on the ground of their conduct to churchmen. But they were accused of infringing the laws of England, and of neglecting to keep records of their proceedings, and especially of violating the Acts of Trade.*

Rhode Island at once gave way. The treatment which that colony had experienced from Massachusetts justified her in ^{Submission of Rhode Island.} regarding every object save self-protection. Yet even in the act of submission those dissensions broke out which marked every stage in Rhode Island history. In June 1686 the Assembly sent an agent to England to make formal submission.² Simultaneously some of the freemen sent a separate address, in which they too made submission, but prayed that the home government would protect them against the tax imposed by the Assembly for the payment of an agent.³ The Assembly, while it gave up the charter, yet took measures for confirming such liberty as was still left to the colony. It acted like a garrison which builds up supplementary defenses behind its main walls to fall back upon when those are overthrown. The last act of the legislature was to authorize each township to hold an annual meeting of five days' duration, to be reduced or extended in case of necessity. At these meetings town officers were to be elected, taxes levied, and other public business conducted.⁴ It is significant of the condition of Rhode Island that no less than seven separate memorials were addressed to the English government in little more than three months.⁵ None of them however deprecated the action of the Crown, nor do they seem to have indicated any serious division of opinions or interests in the colony. Rather the colonists seem from long disuse to have lost confidence in their own power of corporate speech.

¹ Connect. Records, vol. iii. p. 347.

² R. I. Records, vol. iii. p. 175.

³ *Id.* p. 190.

⁴ *Id.* p. 194.

⁵ *Id.* p. 190.

⁶ Mr. Arnold enumerates them in a note (vol. i. p. 496).

Of the whole task imposed on Andros the establishment of his authority over Rhode Island was perhaps the easiest portion. There was not, as in Massachusetts, a clergy whose influence formed a permanent element of resistance to all external authority. Thanks to the schooling inflicted by Massachusetts, the Rhode Islanders were not likely to examine the gift of religious toleration with too much nicety, and the Declaration of Indulgence was accepted with an unquestioning welcome. Thus Rhode Island was spared those detailed aggressions which were forced on Massachusetts as necessary incidents of the administrative policy of Andros and Randolph.

In Connecticut a widely different temper prevailed. In January 1687 the Court of that colony learnt that the law officers of Dealings with Connecticut. the town were applying for a writ of *quo warranto* against their charter. It was also known that Dongan, the Governor of New York, was recommending the annexation of Connecticut to that colony. Thereupon the Court of Connecticut wrote an adroit letter to Sunderland. They petitioned to be continued in their present condition. But if the King should dispose of them otherwise they would, as in duty bound, submit. If they are to be joined to any other colony, they ask to be joined to those under Andros.¹

The advisers of the King, regarding this letter as a surrender, suspended legal proceedings. In the meanwhile Dongan had sent two officials, Palmer and Graham, to Connecticut to negotiate for a union. But Dongan's representatives had formerly served under Andros in New York. Being, as it would seem, more loyal to him than to their employer, they frustrated the scheme which they were sent to carry out.² In June 1687 Andros wrote to the government of Connecticut demanding the surrender of their charter. The Court returned an equivocating answer, requiring further instructions from the King.

In October, Andros, thinking, as it would seem, that mere writing was fruitless, himself appeared at Hartford to require the surrender of the charter. The accepted description of what followed must be set down as a legend. But like many other legends, if it perverts facts, it faithfully represents popular feeling.

¹ This letter is in the Connecticut Records (vol. iii. p. 377).

² A very full account of this is given by Mr. Brodhead (vol. ii. p. 469). He quotes a letter from Graham and Palmer to Andros, I presume among the New York Archives.

The Assembly met and heard Andros's demand. Treat, the Governor, reminded the assembled representatives of all that they had endured to win those liberties that were now in danger. ~~Attempt to seize the charter.~~ The arguments of the other side have not been preserved, even by tradition. But we are told that the debate was prolonged beyond daylight. Candles were placed on the table where the charter itself, the original parchment, was already spread. Suddenly the lights were blown out. They were relit, but the charter was gone. At a later day, when danger was over, the secret of the disappearance, if it were a secret, was revealed. A daring soldier, Captain Wadsworth, had carried off the document and hidden it till better times in a hollow tree, which preserved the tradition by its name of the Charter oak. There is no contemporary record of the event. But the story illustrates the temper of the New Englander, his curious mixture of defiance for authority with a rigid regard for legal formalities.

The overthrow of the chartered government of Connecticut is commemorated more definitely than by this somewhat doubtful tradition. At the foot of the records for 1687 is written a declaration of Andros's proceedings with beneath it the word "Finis." The event indeed marked the close of an era. The resumption of the charters did not extinguish the political life of the Puritan colonies, but it marked the fact that one phase of that life was at end. The original polity of the founders, with its mixture of strength and narrowness, had run its course. Even those who see its failings clearly, and are but half in sympathy with its aims, may look with regret on its extinction in the home of Mason and of the younger Winthrop. There Puritanism had borne its best fruits with the least alloy of its baser attributes.

In the case of Plymouth there was even less scope for resistance. During the reign of Charles II. successive applications for a charter had been made by Plymouth and vaguely evaded by the Crown. Thus when the attack came the colony had not even the same opportunity for temporizing and postponing the evil as Connecticut. Plymouth too was still weighed down by the losses inflicted in Philip's war, and the strain on her energies left her

¹ Trumbull tells the tale of the attempt to seize the charter (vol. I. ch. xv.). Trumbull was born in 1735. We may therefore regard him as separated from the men of the Revolution by at least two generations. His unsupported testimony cannot be looked on as good evidence. There is no contemporary authority for the details as given by Trumbull.

indifferent to political questions. Moreover neither in Plymouth nor in Rhode Island did the despotism of Andros make itself felt in the general economy of the colony nor in the details of everyday life, as it did in Massachusetts. There was no inroad of placemen and soldiers; the men of Plymouth were not disturbed in their streets by the piety of one half of their opponents and the profligacy of the rest. The central Assembly was done away with, but freedom could find refuge in the meetings of the various towns. Yet the citizens of Plymouth did not acquiesce in the loss of their liberties wholly without remonstrance. The freemen of Taunton, like the freemen of Ispwich, protested against the right of the Governor to impose a tax without the consent of the Assembly. No punishment befell the remonstrants, but the town-clerk who sent their declaration to the Governor was imprisoned for three months, fined twenty marks, and bound over to good behavior.¹

At the same time the representatives of Plymouth did not as a whole take the constitutional ground of denying the right of the Taxation Council to levy taxes. In a long memorial to Blathmouth. way, the then Governor, Thomas Hinckley sets forth the detailed hardships and inequalities of the taxation.² The grievance is not very clearly set forth, but it would seem that horses were rated upon an obsolete valuation far above their present worth, while the tax collector refused to take them as payment in kind, except at their market price. Houses too, Hinckley complains, were rated above their real value. At the same time he does not suggest any redistribution of taxes whereby the money might be more equitably raised. Another grievance was that Randolph had farmed the post of Secretary to a Deputy, who levied extortionate fees. It is to be noticed that Hinckley contrasts the proceedings of the Deputy with the moderation of Randolph's own charges. One grievance which pressed on the whole body of the colonies alike, Massachusetts excepted, was the transfer of judicial proceedings to Boston.³ A citizen of Plymouth or Hartford might be forced to travel to Boston to establish the pro-

¹ *The Revolution Justified* (Andros Tracts, vol. i. p. 83). A mark=13s. 6d.

² This is in the Hinckley Papers (*Mass. Hist. Coll.* 4th series, vol. v. pp. 153-62).

³ This is set forth by Hinckley in the above letter, and in the *Narrative of the Proceedings of Sir Edmund Andros, etc., by Several Gentlemen who were of his Council* (Andros Tracts, vol. i. p. 144).

bate of a will. Worse still, if the rights of an inland town to its common land were attacked by one of the Governor's creatures, a representative of the town must leave his farm and travel through fifty miles of forest, with the prospect of fighting his case before a packed jury and a corrupt bench.

If the colonies had been thoroughly united and thoroughly strenuous they might have offered some resistance to Andros through the machinery of the Council. But of the twenty members six came from Rhode Island.¹ As might have been expected, they had but little sympathy with the general cause of New England, and after the first meeting they almost wholly held aloof. The difficulty of transit also made attendance irksome to the Councilors from Plymouth. Andros had no inclination to recruit his Council from Connecticut, and only two representatives of that colony were sworn by him. Thus the Council, while nominally a board in which each colony was in some measure represented, consisted in effect of the Governor's creatures, and was but faintly leavened by the presence of such men as Dudley, Stoughton, and Fitz John Winthrop.

The dealings of Andros with the territory to the north-east of New England dated from the days of his governorship of New York. It will be remembered that in 1674 Charles ^{Attack upon} Castine. the Second had granted to his brother full proprietary rights over the tract of land lying between the rivers St. Croix and Kennebec.² In 1677, during the very thick of the Indian troubles in Maine, Andros, acting for the Duke of York, established a fort at Pemaquid, which for a while acted as a check on the Indians.³ But by the time when Andros was established in power at Boston the fort had been suffered to fall into ruin, and the north-eastern Indians had again begun to molest the neighboring settlers. There had settled among them a young Frenchman, the Baron of St. Castine. He had come out to Canada as a military officer. His regiment was disbanded, and he then became a squatter, living among the natives, with a harem of Indian women, trading in arms and ammunition and taking part in the hunts of his savage friends, a prototype of the South Sea

¹ A list of them is printed in the Rhode Island Records (vol. iii. p. 220).

² New York Documents, vol. ii. p. 295.

³ Dispatch from Andros, March 1678; *ib.* vol. iii. p. 256; cf. Dongan's dispatch in the same volume (p. 391).

Island beach-comber.¹ In the spring of 1688 Andros visited Pemaquid, partly for the purpose of restoring the fort. A messenger was sent to summon St. Castine to a meeting. He fled, and the Governor thereupon dealt with him as an unauthorized intruder, seizing his arms and goods. The fort, upon inspection, was found to be so ruined that Andros could not with the resources at his disposal restore it. But before leaving he called together the Indians, made them presents of rum and clothes, and exhorted them not to fear the French, and to restrain their young men from annoying the English settlers. Then he said they should live quietly and undisturbed.²

In the summer of 1688 Andros was called to the south. A commission, dated the seventh of April, made him Governor of the whole country from the St. Croix to the Delaware.³ This territory took in not only the whole of New England and New York, but also the recent settlements of East and West Jersey. The newly formed dominion was sundered almost as soon as it was united, nor could the union be said even to have reached the stage of an administrative experiment. Yet there is a certain interest in this first faint appearance of the seminal principle of colonial union. It serves at least to remind us how much had to be done before the experiment could be even attempted with a show of hope. The exclusiveness of the Puritan settlements must be broken down, the old quarrels between New England and New Netherlands forgotten, and the soreness engendered of conquest healed. Commerce between colony and colony must beget a sense of mutual dependence and of the need for a comprehensive system of control before there could be any hope of real union.

Yet even such combined action as was brought about by the common authority of Andros was not wholly without result. New England was beginning to feel that influence which for the next seventy years gave the whole body of colonies and the mother country a certain community of purpose. A line of French outposts was gradually

¹ A full account of St. Castine will be found in Mr. Parkman's *Frontenac* (p. 342). By the English writers of the time he is usually called Castine.

² This expedition of Andros is described in a letter from Randolph to Povey in the Hutchinson Collection (p. 562).

³ This commission is printed in the *New York Colonial Documents* (vol. iii. p. 537).

forming along the whole western frontier of the English settlements. Everywhere eager French envoys were pressing forward, with the same capacity as Castine for adapting themselves to savage life, but, unlike him, devoting those powers to the service of religious proselytism and national aggression. When the attack came it was almost sure to be made along the line of lakes connecting the St. Lawrence with the Hudson. The highlands of the north-west frontier of New York were the key on which the safety of the English settlements rested. This made the friendship of the Five Nations a matter of vital importance to the English settlements. In 1684 the Governors of Virginia and of New York had met the chiefs of that confederacy at Albany, and had solemnly made peace with them in the name of the English nation.¹ Already had it been decided in the counsels of De la Barre, the Canadian Governor, that French influence must be maintained by striking a blow at the allies of the English. Almost immediately after the treaty of Albany De la Barre, with eight hundred and thirty French soldiers and two hundred Indian allies, marched into the country of the Iroquois. Sickness spread among the invaders, and made it impossible for them to strike any decisive blow. Their commander summoned the confederate tribes to a meeting. Three of the nations obeyed; the two most powerful, the Senecas and the Mohawks, stayed away. The spokesman of the Indians told De la Barre that the Five Nations wished to trade and not to fight, but that they held themselves independent alike of French and English, and that an invasion from either side would be the signal for war.²

The agreement concluded in November 1687 between the English and French Courts defined the relations between the settlers and the two nations, and their attitude towards the savages. There was to be peace between the colonies of the two nations, and neither was to assist the savages against the other.³ The treaty was equitable only in semblance. Except in self-defense the English could have no motive for meddling with the Hurons, the allies of the French. But as Dongan, the far-seeing and statesmanlike Governor of New York, pointed out,

¹ Chalmers *Annals of the Colonies*, pp. 346, 587.

² Mr. Parkman gives a very full account of this expedition, based on the dispatches of De la Barre and De Menles, the Intendant of Canada (*Frontenac*, pp. 99-112).

³ New York Documents, vol. II. p. 505.

the Mohawks were the natural bulwark of the English settlements.¹ The bargain was as though Russia should promise to stand neutral between England and the tribes of Turkestan, on condition that she in turn might work her will upon the Afghans.

It is not impossible that the Five Nations, seeing the policy of the English settlers thus suddenly reversed, might have been drawn into an alliance with France. That danger had been already averted by the surpassing folly and dishonesty of De la Barre's successor, Denonville. A party of Iroquois chiefs had come by special invitation of a French envoy to treat with the Governor. A French official, if not by the advice at least with the subsequent approval of Denonville, seized the savages and sent them to France, where they were condemned to the galleys.² The misfortunes of seventy years, even the final overthrow of French power in Canada, were in no small measure the result of that one act of wickedness.

Denonville soon followed this up with open hostility.³ In July 1687 he marched against the Senecas with fifteen hundred French troops and five hundred Indians. The raid resulted in the destruction of the chief Seneca village and the loss of about a hundred lives on each side. It did nothing towards subjugating the Senecas or detaching them from the English alliance.

In the summer of 1688, while Andros was at New York, petty acts of hostility were perpetrated by the Indians at various points of the English frontier. Settlers were killed on the Connecticut at Newhaven, at Kennebec, and at Cape Porpoise, to the number of twenty-six in all.⁴ In the absence of the Governor, troops were raised and dispatched to the eastern frontier. At his return the Governor expressed his disapproval of this procedure, and declared that what had been done did not go beyond isolated acts of violence, and that there was no ground for regarding it as war.⁵ At the same time he released certain Indian prisoners, and issued a proclamation summoning the natives to do the like, and to give up those of their countrymen who had mur-

¹ New York Documents, vol. iii. p. 510.

² Parkman, *Frontenac*, p. 30.

³ *Id.* pp. 148-56. Denonville's own dispatches on the subject are in the ninth volume of the New York Colonial Documents.

⁴ This is stated in a letter from Danforth to Nowell, Oct. 22, 1688 (Hutchinson Collection, p. 567).

⁵ Letter from Danforth to Nowell, Oct. 22, 1688 (Hutchinson Collection, p. 567); cf. the Narrative by the Council, p. 14; *The Revolution Justified*, p. 48.

Dealings of
Denonville
with the
Five
Nations.

Andros and
the Indians.

dered any Englishman.¹ This demand was unheeded. Andros thereupon mustered a force of eight hundred men and marched at their head to the north-east.²

There might be room for differences of opinion as to the wisdom of the Governor's policy, and it is just possible that if he had set greater store by the lives of Puritan colonists he would have been somewhat more vigorous in his measures against the natives and less keenly alive to the need of doing them justice. But assuredly it spoke ill for the honesty of his opponents, and for the common sense of those to whom they appealed, that he should have been charged with a deliberate design to destroy New England by the agency of the savages.³ We are gravely told in a formal document how Andros sent home an Indian squaw with a bag full of ammunition,⁴ and how a savage assured some Englishman that if the two nations fought, "Sir Edmund would sit in his wigwam and say, 'O brave Indians!'"⁵ There were even men not ashamed to suggest that the rum supplied to the soldiers had been poisoned.⁶ These charges against a man of unquestioned courage, and in no way devoid either of honesty or humanity, were brought forward on the evidence of savages who, by the very admission of Andros's enemies, were a set of perfidious liars, and of a couple of soldiers who could not write their own names. There was at work, not only political feeling, but also the credulity of religious fanaticism. Everything seems to show that the churchmanship of Andros was something more than the formal compliance of a placeman. Yet he is charged with having given a book to some wretched savage, and told him that it was better than the Bible because it contained a picture of the Virgin.⁷

One act of Andros by which he incurred the displeasure of the New Englanders in truth did credit to his humanity, and probably

¹ The proclamation is in the *Colonial Papers* (1688, Oct. 20).

² Hutchinson (vol. i. p. 370) says seven or eight hundred men. In the Declaration appended to Byfield's account of the Revolution the number is put at a thousand (*Andros Tracts*, vol. i. p. 17). It was the interest of Andros's enemies to exaggerate the number. Another Anti-Andros tract, *An Account of the late Revolution in New England*, by A. D. (*Andros Tracts*, vol. ii.), says "near a thousand English (and the flower of our youth)."

³ *Andros Tracts*, vol. i. pp. 18, 102; vol. ii. p. 33.

⁴ *The Revolution Justified*, p. 40.

⁵ *Ib.* p. 41.

⁶ Andros's chief advocate, John Palmer, in his *Impartial Account of the State of New England* (*Andros Tracts*, vol. i.) refers to this iniquitous charge, and treats it with fitting contempt.

⁷ *The Revolution Justified*, p. 41.

to his judgment. It was said to have been due to his strenuous intercession that the French government released the Mohawks who had been treacherously captured by Denonville.¹ Andros might reasonably believe that he would thereby establish a claim on the gratitude of the Mohawks, while the relations between them and the French were such that their union need not be dreaded.

Andros also seems to have created dissatisfaction by refusing to receive certain Huguenot refugees from Canada.² His doing so was almost a necessary consequence of the relations between the English and French sovereigns, but it was none the less certain to prejudice him with Puritans.

At a later day the enemies of Andros virtually withdrew the worst charges against him. They admitted in a meager and grudging apology "that divers things too uncertain, if not too untrue, had been too easily reported and spread concerning him."³ But with such feelings towards their commander the Massachusetts troops were little likely to achieve success, even if success had been possible. The Indians successfully avoided a contest, and suffered the elements to fight for them. The only substantial result of the expedition was to build a row of forts along the frontier, needing to be garrisoned for the winter by a force of six hundred men.⁴

It seemed at first as if New England had servilely abandoned her liberties at the first attack. But in real truth she was unprepared rather than submissive. She had now recovered from the first shock, and was taking steps for the protection of her liberties, not, as in the days of Winthrop by scarcely concealed defiance, but by the more subtle paths of diplomacy and Court influence.

The counsels of Massachusetts in this matter were guided by two men who for the rest of their lives held the foremost position, one in the secular, the other in the ecclesiastical politics of the colony, and who both by their character illustrate the influences which were now making themselves felt in New England. Neither William Phipps nor Increase Mather had in any sense apostatized from the creed and usages of Puritanism. Yet the former

Sir William Phipps and Increase Mather.

¹ *Andros Tracts*, p. 201.

² *Id.* p. 202.

³ *Narrative of Proceedings*, p. 13.

⁴ See Andros's own report in the *Andros Tracts* (vol. III. p. 31).

had little in common with Winthrop and Dudley, and the latter was almost as widely severed in thought and temper from Cotton and Hooker.

Our knowledge of the personal character and detailed history of both men is derived from a writer who has paid the penalty of an exaggerated reputation during life by the equally undeserved contempt of posterity. To his own contemporaries Cotton Mather was a marvel of wisdom and learning; by most writers since, even when his moral character, not always spared, has escaped, he has been held up as a byword of credulity, pedantry, and bad taste. It needs no great familiarity with Cotton Mather's writings to multiply instances of all these failings. His learning too was probably not a little exaggerated. He wrote for a generation whose studies outside the field of theology were neither deep nor wide, and he won a reputation for vast knowledge by the pertinacity with which he used every incident in his narrative as a peg on which to hang a somewhat commonplace classical allusion. The charges of indifference to human suffering, even of malevolence, engendered of boundless vanity, will come before us hereafter. For the present we may at least say that, if Mather's advocates can clear him of guilt, they must do so by surrendering his reputation for common sense.

Yet one may grant all this and still hold Mather to be far from contemptible, either as a writer or a man. His love for New England, his veneration for her past, his faith in her future, are very real. His admiration for goodness wherever he meets it is hearty and unstinted. His affection for those whom he had himself known often breaks through the cloud of pedantry which envelops him, and reveals a genuine simplicity of mind and, what is perhaps in his case even a greater triumph, a capacity for vigorous expression.

He weaves the incidents of Phipps's romantic career into a narrative more conspicuous no doubt for picturesqueness than for accuracy of detail.¹ The story is diffuse, yet the details do not overlie the central figure. In Phipps, as presented to us by Cotton Mather, we can see clearly the transition from the Puritan colonist of the original type to the New Englander of later days;

¹ *Magnalia*, bk. ii. pp. 35-75. There is an excellent life of Phipps by Mr. F. Bowen in the seventh volume of Spark's *American Biography*.

versatile, not by nature, but from the necessities of his life; speculative, yet cautious and persistent; keenly alive to his own advantage, yet animated by a public spirit which occasion could kindle into eager patriotism.

At the time of Andros's government Phipps was a man close upon forty.¹ The son of a poor settler near Pemaquid, he was early left an orphan, and began life as a ship-carpenter. From building vessels he took to owning and navigating them, and became a merchant captain at Boston. On his voyages he heard of a sunk Spanish treasure-ship. His first attempt to discover the vessel failed. But he was consoled by getting employment as a captain in the Royal Navy, where he found favor with the Duke of Albemarle. Phipps's patron believed the story of the wreck, and provided the necessary capital for a second attempt. The prize proved to be worth nearly three hundred thousand pounds. Of this sixteen thousand fell to Phipps's own share, with the further reward of knighthood.

Though Phipps was in policy thoroughly at one with the patriots at Boston and thoroughly opposed to Andros and Randolph, yet he had not identified himself by any act with the former party. Such an one, in no way pledged to any interest or compromised by any declaration, was the very man to serve the colony usefully in England. Phipps's wealth made him independent. His naval reputation would commend him to the King.

Yet Phipps's powers were not those needed for the conduct of a deliberate political negotiation. He could but be a useful auxiliary to a man of diplomatic talent and controversial experience. Such a man was now found in Increase Mather.

If the character of Phipps shows how much the New England politician had altered since the days of the founders, that of Increase Mather marks at least an equal change in the New England divine. Take any of the early theologians of Massachusetts, Cotton, Hooker, or Norton, outside the field of speculative divinity: if they have to deal with any practical question of the day it is at once manifest how their scholastic associations hang about them and encumber them. There is no trace of this in Mather's political writings. His style is scriptural in its clearness and effective-

¹ According to Mather he was born Feb. 2, 1651.

ness, but there is no studious use of scriptural language, no attempt to force his thoughts into certain recognized molds. Swift himself scarcely goes straighter at his mark. Not only in mind, but in moral character, was Mather specially fitted for the part which he had to play. He was a man of high courage. That had been shown by the fact that he was one of the few who protested against the encroachments of the Crown and kept alive a spirit of resistance. But his firmness had nothing in common with the impracticable narrowness of Endicott and Dudley. He knew that to prevail in essentials he must be ready to sacrifice non-essentials. He never stirred up needless strife; he could bear himself with courtesy towards Anglican courtiers and a Papist King.

Mather's training too had not been exclusively colonial. He had graduated at Trinity, Dublin, and had held preferment in England. Indeed it is not certain that he would ever have returned to Massachusetts had not his hopes of a successful career been overthrown by the Restoration.

Faults Mather no doubt had both of mind and temper. His was not the high-minded, self-forgetful patriotism of Winthrop. His vanity and ambition were but too clearly shown at a later day. But for the present these were kept in check by his genuine zeal for the interests of his country and by the sobering influence of grave responsibility.

In 1685 Mather was appointed acting President of Harvard. Two years before some enemy had thought it worth while to attack his reputation by a singularly clumsy intrigue.¹ Mather's embassy to England. The matter rested for five years and was then revived. Mather attributed the attack to Randolph and denounced his assailant, and the latter had in self-defense to bring an action for libel. The jury found for Mather. It was rumored that Randolph intended to carry the case further. The party opposed to Andros had already entertained the project of sending Mather to England to plead their cause at Court, and it is not unlikely that Randolph's attack was meant to frustrate this. In fact it only

¹ A seditious letter was circulated professing to be written by Mather to a friend in Holland. The letter is published among the Mather Papers (*Mass. Hist. Coll.*, 4th series, vol. viii, p. 104). Other papers bearing on the case will be found in the same volume. The letter seems to me to have in it nothing characteristic of Mather either in tone or expression but to be rather a common and clumsy imitation of the ordinary Puritan style.

hastened the evil. Mather was smuggled on shipboard, and in May reached London.

He bore with him an address to the King from the churches of Massachusetts, acknowledging with gratitude the Declaration of Indulgence.¹ Cut off as the American Nonconformists were from the main currents of political thought in England, it was not strange that they should have fallen into the net which had been spread for the most part in vain in the sight of their English brethren. When some of the churches appointed formal days of thanksgiving Andros interfered.² That the royal Declaration was distasteful to the Governor would be sure to confirm the settlers in their approval of it. There were not wanting some, notably Danforth, who distrusted the boon.³ Yet it is worthy of remark that Danforth took exception to the Declaration, not as an unconstitutional interference with the rights of the colonists to regulate such matters for themselves, but on the practical and sectarian ground that it would favor the growth of Popery.

To one like Mather, trained in the hereditary traditions of New England Nonconformity, it must have been almost impossible to understand the altered attitude of English Dissent, its alliance with Bishops who were avowedly hostile in principle against a King who was showing himself friendly in act. There were special influences at work in Mather's case which made it peculiarly difficult for him to enter into that view. His knowledge of English affairs was mainly derived from his brother, a Nonconformist minister. Enough of their correspondence remains to show that Nathaniel Mather was among those Dissenters whose hatred to Prelacy had thoroughly blinded them to the insidious policy of the King.⁴

Backed as Mather was by the favor of this party, he had no difficulty in getting an audience at court. The line he took, and placed as he was he could hardly take any other, was to protest

¹ Two addresses seem to have been drafted, differing only in language and not in substance. There is nothing to show which was presented. They are both in the Mather Papers (pp. 697, 698).

² *Parentalor*, p. 103.

³ Danforth to Mather, November 8, 1697, in Mather Papers (p. 507).

⁴ See a letter of August 2, 1687, in the Mather Papers (p. 67). Compare with this the letter which immediately precedes it from Nathaniel Mather to Richard Lobb, the Nonconformist minister, who was at this time a tool of the King among the Dissenters.

against Andros and Randolph as aggressive Churchmen who were frustrating the tolerant purpose of their master. When he was first admitted to an audience of the King, Mather was content to discredit Andros by telling of his conduct in the matter of the Declaration. Encouraged by his reception, Mather presented a memorial in which he called attention to such hardships as the encroachment on common lands and the compulsory use of the Bible in swearing. After this Mather petitioned for a charter for Harvard College, lest a foundation due to the liberality of Nonconformists should be transferred to the use of Churchmen.¹ Mather's efforts were not confined to his own colony. He also presented a memorial from Plymouth, asking in very general language for freedom of worship. The memorialists reminded the King that eight years before an application for a charter had been not unfavorably heard, and they now begged that the boon might be granted.*

Mather seems at this time to have been on good terms with Penn. The positions of the two men were not unlike. Each had interests of his own, not of a personal or selfish nature, but apart from those of the general body of Nonconformists. Each had enough of the wisdom of the serpent to ingratiate himself with men widely different in every way from himself. Cotton Mather, with a characteristic mixture of filial pride, vanity, and lack of perception, tells how his father won the good graces of Sunderland, Melfort, and Jeffreys, and even received overtures from the Jesuit Petre.²

Mather however was not without more creditable and, as events proved, more useful allies. Conspicuous among them was Ashurst be- Ashurst. A wealthy London Nonconformist, he had friends New England. publicly avowed his principles by standing as a friend beside Baxter before the judgment-seat of Jeffreys.³ This alliance with Ashurst was of no small value to Massachusetts. It probably saved the New England Puritans from being associated with that section of the Nonconformist party which was willing to barter its legal rights for the precarious benefit of an unconstitu-

¹ Mather Papers, p. 699.

² *Parentator*, p. 109-14: An address, probably this, is given in the *Andros Tracts* (vol. III. p. 133, n.).

³ *Parentator*, p. 115.

⁴ Calamy's *Life of Baxter*, p. 368.

tional toleration. Nor was that all. In the coming struggle it was of the greatest importance that New England should not be deprived by commercial jealousy of those who were on political and religious grounds her natural allies. The support of such an one as Ashurst must have done much to remedy that danger, to make the London merchants forget that the men of Boston might be resolute and somewhat unscrupulous rivals in trade, to make them remember that they were fellow-sufferers in the cause of freedom.

That the supporters of the colony in England were fully alive to this is shown by a pamphlet put forth at this time, if not by Mather himself, at least by one who was acting in concert with him.¹ The writer enumerates and answers the various charges which had been brought forward to prejudice the colonists in the eyes of English traders. They had been accused of underselling the English merchants in the colonial and foreign markets, and of imposing import duties on English goods. It was urged that titles to land had been acquired under the new government, and that mining schemes which would be supported by the Crown would be frustrated by a colonial Assembly.

The assailants of the colony had, with no inconsiderable craft, interwoven these appeals to personal interest with arguments more likely to prevail upon patriotic and law-abiding Englishmen. Under the charter government there could be no effective resistance to French encroachment. The officers of the Crown had been hindered in their attempts to suppress piracy.

Some of these charges were easily and effectively answered. Since the usurpation of Andros there had been no outlay of capital in reclaiming or settling lands. The only persons who would suffer would be those who would have to disgorge what they had illegally acquired. If men invested capital in mines, it would be as secure under the charter as under any other form of govern-

¹ The pamphlet in question is in the *Andros Tracts* (vol. ii. pp. 211-24). It is entitled, *New England Vindicated from the unjust aspersions cast on the former Government there by some late Considerations*. The only ground for attributing it to Mather is the fact that according to his own statement he wrote three such vindications, that unless this be one there is a difficulty in making up the number from extant pamphlets, and that the tone of thought and the language are like his. The *Considerations* to which it is an answer do not appear to be extant. But a rejoinder was published which appears to repeat all the charges embodied in the original document. This is in the same volume (pp. 135-8).

ment. The writer points out that the trade of New England was far too small to be any serious rival to the mother country, that much of the shipping there was the property of English merchants, and that the only tax laid on English goods was a small harbor duty on powder.

But it is noteworthy that the advocate of New England hurries in a summary fashion over two points of great importance. The charge of abetting pirates is met, not by denial, but by the plea that it had been done through ignorance. The alleged danger of a French attack is answered by the vague and inconclusive statement that the danger would be increased by the loss of the charter, since the colonists in despair would fall an easy prey to an invader.

It was all the more important for Mather to win influential support among those who might influence the future policy of England, since it was soon evident that he had nothing to look for from the court. As it was with the mother country, so was it with the colony. To conciliate Nonconformists with fair words, while straining every nerve to establish Popery, was a task which would have taxed the powers of the most unscrupulous diplomatist of the sixteenth century. It was indeed a hopeless attempt for a King in whom obstinacy and servility, unscrupulousness and credulity, were so strangely blended. Among the charges against James, it was believed that he had written to the Pope, promising to enforce the religion of Rome in all the American colonies. True or false, the story just fitted in with the suspicions about Andros which were current. Moreover, when the storm of October the nineteenth freed the King, as he thought, from the danger of a Dutch invasion, Mather, like his English brethren, found that there was no more talk of extending toleration or restoring privileges. Accordingly he turned his back on the court. In the words of his son, "He said in his own mind, I will see thy face no more."¹

But we may be sure that he was neither idle nor unobservant. Nothing would be of greater interest, were it but possible, than to trace the connection between public opinion in England and public opinion at Boston during the winter of 1688. That there was no common understanding

Connection
of events at
Boston and
in England.

¹ *Parentator*, p. 126.

is unlikely; that the leaders of the popular party in Boston were not following the train of events in England and steering their course by it seems impossible. The ease with which the Revolution in New England was effected, the readiness with which the popular forces marshaled themselves, make it certain that the citizens must have been in some degree familiarized with such a project. But neither the schemes, if schemes there were, nor the hopes and fears of the New Englanders are revealed to us in any of the letters which have since seen the light of day.

In one respect the task before the New Englanders was an easier one than that before the revolutionists in the mother country. The colonists might mature measures against Andros without placing themselves in serious jeopardy. They were not like the leaders in England, who had burnt their boats, and for whom failure almost certainly meant the scaffold. But if the stake for which they played was a smaller one, the game was in many ways more difficult. No man, whether in England or in America, could have reckoned with certainty on the fatuity of James, on the wholesale perfidy of those about him, on that sustained good-fortune without which all the foresight and self-restraint of William might have been fruitless. But in England the conspirators at least knew what was the result of each move in the game before they were called on to make the next. At Boston men might be building up schemes which would at any moment be frustrated by the news that William had fallen before a stray bullet, or that James by some prudent concession had won back even at the last moment a share of that loyalty which had been so vainly lavished on his unrighteous house.

As a set-off the same difficulties or even greater beset Andros. Whichever side prevailed, it was no wise unlikely that he would find himself disclaimed by the victor. The success of William might expose Andros to the vengeance of a justly enraged faction. On the other hand, if James succeeded, two dangers lay before his deputy. If the King were but partially successful, if he prevailed, not by crushing popular liberties, but by making terms with them, Andros might find himself abandoned, given up as a victim to propitiate the Nonconformists whom he had oppressed. On the other hand, the triumph of James, as the champion of Popery and the ally of France, was

scarcely less to be feared. Despite Puritan calumnies it is clear that Andros was a thorough Anglican, and there is every reason to think that his failure against the Indians was due to incapacity and to the difficulties of the situation, and to no lack of zeal or courage. He might at any moment find that in defending New England against an inroad of French Papists he had been doing service in nowise acceptable to his master. It is far from unlikely that the seemingly inexplicable ease with which Andros allowed himself to be overthrown was, in part at least, due to his own wish to escape from a position which might become at any moment intolerable.

Though we have no precise account of what preceded the Revolution, it is at least clear that the dread of an Indian attack, the distrust of Andros, and vague rumors of events in England had worked men into an impatient and restless frame of mind. On the fourth of April, 1689, a young man named John Winslow landed at Boston. He had come from Nevis. There he had heard news of William's landing and of his successful entry into the kingdom. He also brought with him copies of the Prince's declaration. Andros, it would seem, got wind of this, probably through the master of the ship, before any of the documents were distributed.* He at once apprehended Winslow. He was charged before two subservient magistrates with bringing over treasonable libels. Bail was refused, and he was sent to prison to await his trial.

Despite the precautions of Andros copies of the declaration got

¹ We have five distinct accounts of the proceedings at Boston. 1. *An Account of the Late Revolution in New England*, written by Mr. Nathaniel Byfield to his friends. This was printed at the time in London. It has been reprinted by Force (vol. iv.), and again in the *Andros Tracts* (vol. i.). 2. *An Account of the Late Revolutions in New England*, by A. B. Published at Boston in 1689, and republished in the *Andros Tracts* (vol. ii.). 3. The Report by Andros himself to the English government (*Andros Tracts*, vol. iii.). 4. Three letters published in the Hinckley Papers (pp. 190-6), all written from Boston to Thomas Hinckley, Governor of Plymouth. One is from William Bradford and Nathaniel Thomas, dated April 20, 1689. Another of the same date is from Danforth. The third, dated April 22, is from Samuel Prince. This contains a very full account of the proceedings. The greater part of this is quoted by Hutchinson (vol. i. pp. 374-7). 5. A statement by John Riggs, a servant of Andros, presented to the Committee for Plantations, July 22, 1689. This is among the *Colonial Papers*. It is printed in full by Mr. Palfrey in a note (vol. iii. p. 585). These are the main authorities for the actual outbreak. There is also valuable information in the polemical pamphlets put forth by both parties after the Revolution, and collected in the *Andros Tracts*.

* I infer this from A. B.'s account. He says "the Prince's Declaration, of which at last we had stolen a sight" (p. 7).

about, supplemented, as it would seem, by vague reports of what was doing in England.¹ Even now if Andros had dealt frankly with the people, if he had told them all that he knew, they would in all likelihood have sat still, content to await the course of events in England. But as a consequence of Andros's attempted concealment the air was filled with vague rumors of mischief. A royal frigate, the *Rose*, sent out to act against pirates, was lying in Boston harbor. It was believed that she was intended to carry off Andros and his troops, and that the town was to be left unguarded, to be attacked by Indians on land and by the French fleet from the sea.²

To make matters worse, some of the troops whom Andros had left in garrison on the north-east frontier had abandoned their stations and were in the neighborhood of Boston, ready, it was thought, for an attack upon the commander who as they believed had betrayed them. Accordingly, the members of what one may call the moderate wing of the patriotic party resolved to be ready for an outbreak. They could not restrain the public feeling against Andros, but they might direct and utilize the expression of it. Some concerted scheme of action was settled, and a constitutional declaration was prepared, to be made public if occasion offered.³

But though we may believe that the leaders of the popular party were concerting some measures, there is nothing to show how far they went. If there was a complete scheme of attack arranged, it is wonderful that the preparations should have left no more definite traces. It is scarcely less wonderful that a spontaneous outbreak should have been so well organized, so effective, and so forbearing. In either case we see the wholesome effect of that systematic training in public life which New England offered to her citizens.

It is not unlikely that some rumor of the complete triumph

¹ A. B., p. 7.

² *Id.* p. 6.

³ The editor of the *Andros Tracts* (vol. iii. p. 145) quotes a passage from the *Life of Cotton Mather*, by his son Samuel, describing what was done at this time. We may take him as a trustworthy witness for so much of the affair as came within his father's knowledge. But I do not think we can safely regard his account as an exhaustive one. In the event of failure the leaders of the popular party in Boston might be very glad to have it believed that they had been merely waiting to interfere if necessary, and to turn a tumult into a constitutional revolution. If, as well may be, there was more in their schemes, Cotton Mather was the last man to be trusted with secrets on which life might be staked.

of the Revolutionary party had reached New England. Within a fortnight of Winslow's arrest either the leaders of the popular party saw that the time had come to strike a blow, or the popular feeling against Andros and his creatures could no longer be restrained. The governor himself had some vague suspicion of danger. There was, he wrote, "a general buzzing among the people, great with expectation of their old charter."¹ Yet his arrangements were assuredly not such as to suggest that he was making ready against an attack. He himself was in the fort by the water's edge at the eastern end of the town. To the north of the fort, within easy range, was a small battery on a sconce. The main body of Andros's troops were in the castle on an island in the mouth of the harbor, two miles from the town, where they could give no help in a sudden emergency. The frigate was moored in the harbor, and her captain, George, was in the town.

At eight o'clock on the morning of the eighteenth news was brought to Andros that a large force of countrymen was assembled at Charlestown under arms. Simultaneously, as **The people rise against Andros.** it would seem, another force, somewhat smaller, appeared at Boston neck, threatening the town from the south. The project of the insurgents, as far as we can judge from events, was to rise simultaneously at the north and south ends of Boston, seize their enemies, and get possession of the town, while their supporters remained without under arms, ready to act according to signal.

The course of events during the day is vividly described by one who was clearly no party to any premeditated scheme.² The occupants of the north end of the town were first apprised of the outbreak by the sight of lads rushing through the streets with clubs, as it would seem in imitation of the London apprentices. News soon came that the other end of the town was up; that George, Randolph, Bullivant, the Attorney-General, one of the most hated among the supporters of government, and others of that party, were arrested, and that the rest of the followers of Andros had taken refuge with him in the fort.

The New Englander's strong instincts of discipline and subor-

¹ A letter to Brockholts, who was in command at Pemaquid, quoted by Hutchinson (vol. i. p. 372).

² Prince.

dination at once asserted themselves. The leaders of the popular party came together at the town hall. Among them was one whose reappearance seemed to the crowd to symbolize the revival of the old free Puritan commonwealth. "When the old Governor came among them there was a great shout by the soldiers."¹ Bradstreet might have little of the real spirit of Winthrop or Dudley, but he was the living embodiment of the memories which surrounded them. In the very throes of revolution the popular hero was the man whose one claim was his peculiar connection with the past life of the colony, who above all embodied the sober, unenthusiastic, uninventive side of Puritanism. In real truth it was Andros and his followers who were the revolutionists, the subverters of established order. The so-called rebels were but maintaining ideas and institutions which had interwoven themselves with the life of the community.

The next proceeding showed the same temper. A dull and verbose declaration, divided like a Puritan sermon into twelve heads, was read to the crowd from a balcony.* It set forth all the charges against Andros, it then referred somewhat vaguely to the success of the Prince of Orange, and it ended with the announcement that the government of the colony had been taken out of the hands of dangerous men lest it should be handed over to a foreign power, and that it would be held till the arrival of orders from the English Parliament. The elaboration and the somewhat pedantic arrangement of this document go far to prove that the rebellion was no unpremeditated outbreak. Its literary and political merits are of the slightest. Yet it is no paradox to say that no appeal to popular passion and no vindication of liberty, however eloquent, would have been half as honorable to those concerned. Those who well knew the temper of the people believed, and believed rightly, that at such a crisis they would hear with patience and accept with satisfaction a diffuse and prosaic statement of grievances, which neither threatened revenge nor promised anything beyond the removal of administrative corruption. That simple fact is far more eloquent than all the self-glorifying rhetoric of Puritan chroniclers.

Meanwhile the royal colors had been run up over the fort, while

¹ Prince, p. 194. I would observe that throughout this letter "soldiers" plainly means "the insurgents."

² This is the document referred to above, appended to Byfield's account.

a flag hoisted by the popular party on Beacon Hill told those outside the town that their services might yet be needed. The Rose opened her ports and made ready to fire on the town.

Attack on the fort. Her captain however sent a message to her, representing that he was a prisoner, and that his life would be in danger. Accordingly, the lieutenant who was in command contented himself with sending a boat to fetch off Andros. Meanwhile citizens were advancing on the fort, and when the Governor attempted to reach the boat he was cut off and driven back. The insurgents then made a systematic attack upon the fort. Half the forces approached it from the rear, while the other half attacked the outwork. The garrison there seem at the first onset to have retreated within the fort, abandoning their guns, which were at once turned upon them. Thus covered in some measure, the assailants attacked the fort, exposing themselves so recklessly that a single cannonade might have swept away a hundred of them. Happily Andros was no butcher, and the insurgents were suffered to surround the fort and demand a surrender. If Andros had nothing of the temper of Kirke, he had as little of that of Sarsfield or Dundee. It was arranged that he should send two of his party to meet the representative leaders of the people. The result of the conference decided Andros to go in person to the Council. His own statement implies, what in a more intelligent man would be incredible, that he imagined he was going to confer as to the best means of quieting the tumult. One of the accounts given by his enemies states that he came out under a safe-conduct.¹ Yet his own report, which we may take as conclusive, does not imply that his detention was a breach of faith. At first he refused to give orders for the surrender of the fort. But when he was plainly told that unless he did so he could not be protected from the fury of the mob, he yielded, and Randolph was sent up with orders to deliver over the place.²

It now remained to master the castle and the frigate. Andros at first met the demand for the surrender of the castle with what one of his opponents calls "some stomachful reluctances."³ But, as before, his obstinacy was short-lived. Orders were sent to the

¹ A. B., p. 9.

² Riggs makes the surrender entirely the act of Randolph. This is the view which one of the immediate followers of Andros would be likely to take, and it can hardly be accepted in the face of all the other witnesses.

³ A. B., p. 10.

officer in charge to yield the place, and the townsmen were able to turn the guns both of the castle and the fort against the frigate. George appears to have shown more resolution than Andros, and to have refused to give any order for surrender. But when emissaries from the Council went on board and laid before the lieutenant how things stood, he and his men consented to declare for the Prince of Orange.

When once their oppressors were overthrown, there was nothing for the colonists to do but patiently to wait for the turn of events in England. In the meantime there was no difficulty in deciding the form of a provisional government established. It was only needful to revive that constitution which had been so recently extinguished. The first step indeed involved an assumption of power. The leaders of the popular party, seventeen in number, who had negotiated with Andros, now acted as a body qualified to initiate a government, and in the interim to act as an executive. The principle on which they acted was, as far as might be, to take up the old charter government at the time when it was overthrown. Bradstreet was appointed President. It was needful that the country at large should be represented in the Council, and that it should not be merely a junto of Bostoners. To this end twenty-two members were added. A Convention was then summoned, to which Boston was to return four members, every other town two.¹

On the ninth of May the Convention, consisting of sixty-six elected members, met. In their action against Andros all seem to have agreed. But the questions which now came up for discussion at once revived the division of parties which had subsisted in the last days of the old government. As before, the well-to-do citizens of Boston, who, with Bradstreet at their head, might be regarded as the main element in the Council, were for a policy of caution; the representatives of the country towns, where more of the old Puritan spirit lived on, were for a policy of boldness. They proposed that the Convention should regard itself as a House of Deputies, that the Assistants who were in office before the overthrow of the charter should resume their position, and that the whole body so constituted should be an Assembly. This was opposed by the Council. Finally a

¹ Hutchinson, vol. I. pp. 381, 382.

compromise was effected. The towns were to elect fresh delegates, expressly instructed to say whether the old charter was to be renewed or not.

At a later day a bitter enemy of the Mather family asserted that the refusal of the settlers to resume their charter was due to the influence of Cotton Mather.¹ He, it was said, had represented that by doing so they would put a slight on his father, who was laboring successfully for the restoration of the charter. There is nothing to make it likely that Cotton Mather then, or indeed ever, enjoyed the kind of influence which would have enabled him to turn the scale of public policy at a critical moment. But it is not unlikely that there was an element of truth in the statement. Those in the colony who were in communication with the representatives of the colony in England may have thought, and probably with good grounds, that any hasty assumption of right on the part of the colonists would be the very step most likely to frustrate Mather's diplomacy.

In less than a fortnight a second convention met. Of fifty-four towns, forty supported the policy of the previous set of delegates. **The second** After some discussion their view prevailed. **Conven-** An As-
tion. ssembly was to sit on the old model. But the delegates just returned were not to act as Deputies. It was held that their function had expired when they had decided the one question for which they were brought together. At the same time the Council was purged of its unpopular element by the voluntary retirement of those members who had held office under Andros. Once again was New England to have a brief glimpse of her old polity; once again was the Puritan oligarchy, the champion of civil right, the foe of spiritual freedom, to hold sway. At such a time Bradstreet was no unfitting leader. It was a meet omen that Puritanism, in this, its last effort to sway the destinies of the commonwealth, should own the supremacy of one in whom all individual force of will had departed, who could bring nothing but the hallowed associations of a vaguely remembered past.

¹ This is stated in Calef's *More Wonders of the Invisible World*, a book directed against the Mathers, father and son, of which I shall have more to say hereafter.

² For these proceedings I have relied on Hutchinson. His account is fully borne out by Mr. Palfrey, who makes references to the Records of Massachusetts. By the kindness of Mr. Justin Winsor I have seen a printed list of these archives. It was clear that Mr. Palfrey's notes refer to some earlier and different arrangement.

Before the Assembly could meet, news came from England which may for a moment have seemed to give stability and permanence to all that had just been done. On the twenty-sixth of May the news came that William and Mary. Mary had been proclaimed. Three days later the same ceremony was performed in Boston. A banquet was served in the town hall, and the soldiers, the heroes of the bloodless demonstration against Andros, paraded the streets and were publicly feasted. If the sense of deliverance in Boston was less acute than in the mother country, it was at the same time far less impaired by conflicting feelings. Many an Englishman who loathed the tyranny of James must have felt humiliated at having to acknowledge as his deliverer one to whom England was but a piece in the game of European politics. Among those who stood round William there was scarcely one who had not been living in an atmosphere of intrigue and prevarication, scarcely one who did not feel that henceforth his lot was cast among men tainted with treason, men who knew that he himself was so tainted. There was scarcely one who did not in his heart know that he had built his success on the downfall of men truer and more loyal than himself. The freedom of Massachusetts had been won by her own sons; those who had been overthrown had only set foot on her soil as usurpers and oppressors.

Both the revolution in England and the revolution in Massachusetts had one honorable feature in common. Six years before **Treatment of the prisoners.** Randolph wrote that if there were a revolt he should be tried on the capital charge of altering the constitution.¹ Six years of calumny and oppression had deepened the just hatred which threatened Randolph. Yet with the emancipated and victorious party the first thought, as far as its responsible leaders were concerned the sole thought, was security for the future, not revenge for the past. Andros indeed so far apprehended danger that he made two attempts to break prison. A week after his capture he suborned one of his guards and disguised himself in woman's clothes. He passed two sentries safely, but on reaching the third his boots, showing under his skirts, betrayed him.² On the second of August he made a more successful attempt. This time he got clear of the colony and

¹ Hutchinson Papers, p. 536.

² Byfield, p. 8.

reached Newport, but was there arrested and brought back to Boston.¹ His principal supporters were charged before the General Court, as Randolph had anticipated, with an attempt to subvert the constitution. Bail was asked for, and the Council were in favor of the application; but the Deputies resisted and prevailed. Beyond the inconvenience of restraint the prisoners plainly had no ground for complaint or dread. It would indeed have been suicidal for Massachusetts to open its relations with the new government in England by any act of unauthorized revenge on those who, for the most part, had been but the too docile instruments of administration. Yet the clemency of the statesman, the forbearance and foresight which restrain men in times of public excitement, are in a community higher virtues than the clemency of humane or chivalrous sentiment.

There was however one man in the defeated party who had ground for fear. When the men of Boston rose against their rulers, Dudley, then Chief Justice, was on circuit at Southold. Two days later he reached Newport. There he heard the news and received a letter warning him to keep away from Boston. He took refuge at the house of a friend at Narragansett, but a band, as it would seem, of volunteers from Massachusetts detected him and brought him to Boston to share the imprisonment of his colleagues.² In July he fell sick, and was suffered to leave the prison for his own home at Roxbury. That night his house was stormed by a mob of over two hundred men, and he was dragged back to gaol. Beyond insisting on his imprisonment no violence seems to have been attempted.³ His previous position, his past association with many of the members of the Council, and his near kinship to Bradstreet might not unreasonably beget a belief that his removal was part of a concerted scheme of escape. Nor was the feeling which singled him out as an object of popular wrath altogether a discreditable one. He, by birth and training one of the very elect of Puritanism, had been the supporter of those who overthrew the charter, the yoke-fellow of those who strove to introduce Prelacy. Everywhere the

¹ For Andros's escape and recapture see extracts from the Mass. Archives in the *Andros Tracts* (vol. i. p. 174; vol. iii. pp. 95-102).

² Byfield, p. 7.

³ This is described in an anonymous document quoted by Mr. Palfrey, vol. iii. p. 594, n. It is borne out by Dudley's own statement to the Privy Council (*Andros Tracts*, vol. ii. p. 183).

traitor within will be more odious than the foreign foe. Most of all will it be so in an oligarchy like that of Massachusetts. Such an one breaks through those rigid conventions, that corporate sense of interdependence by which such a community is held together. He is a mutineer in a besieged garrison, an apostate in a persecuted church. Over and above that there was the strong sense that the sin of the individual member was in some sort the sin of the community. The wrong-doing of Andros and Randolph was an affliction but not a disgrace. The wrong-doing of Dudley was a manifestation of the degenerate and backsliding spirit which was to be seen on all hands. To rigid Puritans of the old school he was the very incarnation of all those tendencies which were destroying the New England of their love.

The contest at Boston practically settled the question, not only for Massachusetts, but for the other colonies. As soon as the Revolution men of Plymouth heard what had been done they re-
in Ply- established their old constitution, choosing as their
mouth. Governor Hinckley, who had held that office before the usurpation. The only measure of force was to imprison a member of Andros's Council and his chief partisan within the colony.¹

In Connecticut, as we have seen, the abrogation of the charter had been treated by the settlers as a nullity. The Governor and
In Connec- Assistants resumed their authority, and a House of
ticut. Deputies was elected. The Assembly so constituted passed a resolution in which the usurpation of Andros was described as "an interruption," and all the provisions of the old constitution were declared to be in force.²

All that we know of the proceedings in Rhode Island is derived from a declaration drawn up on behalf of the freemen of the col-
In Rhode only assembled together on May 1, 1689.³ From this
Island. we learn that they had resumed the charter. But it is clear that the settlers in drafting the declaration were careful not to commit themselves, whichever way the contest in England might have ended. They addressed "the present supreme powers in England," and declared themselves "ignorant of what titles should be given in this overture." We know too from other sources that Clarke, who had been Governor before the annulment

¹ Plymouth Records, vol. vi. pp. 206-11.

² Connect. Records, vol. iii. p. 251.

³ R. I. Records, vol. iii. p. 256.

✓ of the charter, refused to resume office,¹ and that for a while the colony had to be content with a Deputy-Governor, appointed by some of the old Assistants.² The action of Massachusetts had in fact made revolution in the other colonies both superfluous and impossible. The government of Andros had disappeared. It was but a necessary measure of self-protection to supply the place with the machinery which lay ready to hand.

¹ See a letter from Francis Brinley to his son in London, February 22, 1690; R. I. Records, vol. iii. p. 259.

² The petition for the restitution of the charter addressed to William and Mary, January 30, 1690, is signed by John Coggeshall, the Deputy-Governor, and six Assistants (R. I. Records, vol. iii. p. 258).

CHAPTER VI.

NEW ENGLAND UNDER SIR WILLIAM PHIPPS.¹

WHILE Massachusetts was thus fighting her own battle she was receiving influential support in England. On the ninth of January Lord Wharton, who held a high place in the distinctively Puritan section of the Whig party, introduced Mather to the Prince of Orange, and eagerly supported the application for the restitution of the New England charters.²

The colony also found a friend in Abraham Kick, a merchant of Amsterdam. He had sheltered Shaftesbury in his exile, and there is reason to think that he was on good terms with Mather. He addressed a letter to the Princess setting forth all that New England had done and suffered in the cause of the gospel, and praying for the restoration of those privileges which Massachusetts enjoyed.³

¹ For so much of this chapter as deals with the establishment of the new constitution the chief authorities are the *Andros Tracts* and the *Colonial Papers*. The principal authorities for the witchcraft trials have been mentioned in the text. The chief monograph on the subject is Mr. Upham's book, already referred to at the first page of this volume. The germ of this book is a series of lectures published by Mr. Upham in 1851. The book was attacked in the *North American Review* of 1869 by a writer anxious to defend Cotton Mather from the charges brought against him by Mr. Upham. To this Mr. Upham replied in a pamphlet published in the same year under the title *Salem Witchcraft and Cotton Mather*. Mr. Upham, no doubt, often gives way to a love of rhetoric and speculates somewhat rashly as to the probable motives and feelings of his characters, and in details of this kind his opponent occasionally obtains a controversial success. These failings, however, hardly impair the value of Mr. Upham's book as a magazine of facts, well arranged, and for the most part sifted according to sound principles of historical criticism.

Mather's *Life of Phipps* and his *Decennium Luctuosum* and Bowen's *Life of Phipps* are valuable authorities for the ground which they cover. The latter part of Church's *Entertaining Passages* is also a good authority for all that came under the writer's own observation. Mr. Dexter has not edited this part, so my references are to an earlier edition, that of 1820, by Mr. S. G. Drake. In all matters which concern Canada or Acadia I have derived great help from the writings of Mr. Parkman.

² *Parentator*, p. 118.

³ Kick's letter is in the *Andros Tracts* (vol. ii. p. 163). It was to Kick that the letter attacking Randolph, attributed to Increase Mather, was written. It is there stated that Shaftesbury died in Kick's house. Whoever wrote the letter, it is not likely to have erred as a matter of public notoriety.

On January the twelfth the newly established government took its first step in colonial policy. A circular letter was issued to be sent to the plantations ordering that the various governors should for the present remain in office.¹ Mather, warned of this by one of his friends at court, at once saw the danger. Whatever system of government the Crown might hereafter appoint, it was clear that the first step towards better things was to get rid of the men now in power. There is also a significant remark in the account of these proceedings given by Cotton Mather. "But what a concern did this give him!" (his father). "Had the letter come to New England, and the pounded rulers taken the advantage of it, as they would have done, to have resumed the government, Boston would have been a shambles." But how could Mather have this ground for "concern"? Did he know that Andros and his supporters were "pounded"? The passage may be explained, as may any passage of Cotton Mather's, by the inaccuracy and vanity of the writer. But it at least raises a suspicion that the popular leaders at Boston were acting in concert with their representative in England. Jephson, the official who had communicated the circular to Mather, reported his condemnation of it, and New England was exempted from its operation.

Thus by the joint action of Mather in England and of the revolutionary leaders at Boston the destructive work of the revolution was effected. Andros and his party had neither the advantages of legal title nor of actual possession. The question now remained, What was to be built up in the place of that which was overthrown? Was the old system to be re-established, so far as the altered conditions of life in New England allowed? Was she still to be a self-governing community, with citizenship resting on a basis of religious exclusiveness? Or was she to be dealt with, wholly or in part, on a general system of colonial administration, her wants and interest in a measure subordinated to those of the whole empire?

The attitude of the colonists themselves towards the question was not unlike that of English citizens towards the political problems which lay before them. There was at least a sufficient likeness between the division of parties in Massachusetts and that

Circular
letter
to the
colonies.

Position
of New
England
after the
Revolution.

¹ *Parliamentary*, p. 119.

² *Id.*

in England to serve for purposes of illustration. New England had her Jacobites. They would not indeed have accepted the title. There was probably not a New Englander who did not fully accept the new settlement. But the Jacobites in England had their real counterpart in that small section of the colonists who defended the action of the late government, who condemned its overthrow, and who wished William to administer New England on the principles and through the agents of his predecessor.

Intellectually, these men were not contemptible. The pamphlets in which they set forth their case showed no lack of controversial power. The chief of them was Palmer, who Palmer's "Impartial Account." had served in the Council under Andros. His "Impartial Account of the state of New England," published as a reply to the Declaration of the revolutionary leaders, is constructed with no little art.¹ The charges against Andros are set forth with a method and a fullness which give the document superficially the air of a judicial summing-up. The real flaw which runs through it is the total inability of the writer to enter into the views of his countrymen. His defense of Andros starts with two assumptions: firstly, that his authority was lawfully conferred; secondly, that the legal and constitutional questions of expediency need not be considered. Palmer proves by precedent that the colonies are "subject to such laws, ordinances, and method of government as the Crown think fit to establish." That plea, if admitted, was no doubt sufficient to cover all the acts of Andros. But Palmer must have known singularly little of the temper of New England, and of the state of public opinion in the mother country, if he thought that such arguments would profit him anything. Were men who had grown up in the full enjoyment of representative government, under a system which opened public life and the highest office to all within the circle of citizenship, likely to accept the overthrow of that system because it could be justified by a statute passed four hundred years earlier after the conquest of Wales? Nor was it wise to remind the King and his advisers that the system of government which they were asked to re-establish in America was in spirit and principle identical with that which they had just overthrown in England.

Another writer who may be in some measure classed with

¹ In the first volume of the *Andros Tracts*.

Palmer is Gershom Bulkeley, of Connecticut. He indeed applies himself to a different point. His pamphlet is an appeal to his fellow-citizens not to prejudice themselves by any rash resumption of their extinct rights, but to sit still and trust to the forbearance and good-will of the English government.¹ He does not justify the action of Andros, nor is there anything to show that he was personally in sympathy with that party. But in asking his countrymen to acquiesce in the overthrow of their charter he was asking them to condone an encroachment on their constitutional rights, and to invite similar encroachments in the future. Practically the only effect of such an advocate as Palmer must have been to impede those who wished that, on the one hand, the colonists should enjoy a certain amount of self-government, while at the same time the administrative control of the Crown should be a real part of the regular machinery of the constitution, not a power to be invoked on rare occasions and at the risk of conflict.

The extreme Whig party, those who wished to treat the Revolution as a conflict of factions which should entitle the conquerors to a monopoly of political power, naturally found their counterpart in Massachusetts. The old Republican party, as we may not unfairly call those of whom Danforth was the most prominent representative, were not likely to withdraw their claims in the hour of victory. Mather may be fairly classed with this party. At the same time he represented them not so much in the spirit of an earnest and uncompromising patriot as of an intelligent diplomatist. He now had with him as his authorized colleagues Ashurst and two new agents from Massachusetts, Elisha Cooke and Thomas Oakes. Both of these belonged to the party who were prepared to stake everything on the recovery of the charter. Both were from temper and training sure to carry on the struggle in a far less conciliatory temper and with far less diplomatic tact than Mather.

There was little likelihood that either party among the colonists would find its views embodied in the policy of the new government. Andros and Randolph and those who apologized for their misdeeds must have formed a false estimate of public opinion in England if they had any

¹ Bulkeley's pamphlet, entitled *The Prop's Right to Election*, is in the second volume of the *Andros Tracts*.

hope of being restored to power. They succeeded indeed in obtaining what their victorious enemies grudged them, an indemnity for past offenses. In accordance with an order of the Privy Council issued in July 1689, Andros and his fellow prisoners were sent to England to answer for their conduct.¹ The Massachusetts agents were then invited to state their case against the prisoners. But, as it would seem, at the last moment, acting in concert with Somers, they declined to press the charge.² Andros and Randolph in fact enjoyed their share in that amnesty which was secured for the defeated party by the moderation of the Whig leaders and the fears of Danby and his followers.

The influence which Mather and his colleagues had really to dread was not the advocacy of men like Andros and Randolph, **A moderate party in the colony.** but the commercial interests of the London merchants and the military policy of William. Nor is it reasonable to suppose that public opinion in Massachusetts was unanimous. Between two resolute factions the voice of moderate men was stifled. But indications are not wanting that there were some who had no sympathy with the policy or instruments of James, who yet looked with dread and distrust on the re-establishment of the old sectarian oligarchy.³ Moreover, men both in England and in Massachusetts must have begun to see that problems had now to be solved which for Winthrop and his colleagues had no existence. French invasion was no longer a source of remote and possible danger to the unity of the empire, it was a source of immediate danger to the citizens of Massachusetts.

How far this view operated with the colonists is shown by a petition presented early in 1689 by the inhabitants of Maine.⁴

Military considerations. They point out how the overthrow of Andros had left the north-east frontier defenseless. With William we may be sure that military considerations took precedence of all others. The one question in his colonial policy was how far

¹ The order is printed in the *Massachusetts Historical Collection* (3rd series, vol. vii. p. 191).

² The whole of this business is told in a letter from Cooke, quoted in a note by Hutchinson (vol. i. p. 394).

³ There is in the *Colonial Papers* a petition signed by seventeen persons from Boston and the neighborhood proposing a union of the colonies under a royal Governor. The whole tone is very temperate (*Col. Entry Book*, No. LXII.). There are other documents to the same effect among the *Colonial Papers*.

⁴ *Andros Tracts*, vol. i. p. 176.

might the American settlements be welded into an instrument serviceable for curbing the power of France.

If the colonists had but slight grounds for expecting a restoration of their old government from royal favor, they had but little more cause to rely on public opinion in England. Those who would have been their natural allies from religious and political sympathy, the London merchants, were alienated by commercial jealousy. No system of colonial government was likely to satisfy them which did not contain adequate guarantees that the Acts of Navigation would be enforced. The colonists might indeed reckon on the support of the thoroughgoing Nonconformists. But as regards the great mass of moderate men a gulf had been gradually forming between opinion in England and opinion in Massachusetts. The men now in power shrunk from the old principles of religious exclusiveness embodied in the Massachusetts charter; they shrunk still more from the practical consequences of these doctrines as revealed to them by the history of the colony. One may feel that the blood of the Quaker martyrs did not cry in vain for vengeance, when their execution was formally urged as a plea for refusing Massachusetts those political rights which she had misused.¹

For a while the representatives of the colony had good grounds for hope. In January 1690 the House of Commons passed a Bill for restoring the rights and privileges of corporations.² An attempt was made by the enemies of New England to discriminate between the colonial and the other charters.³ The question was practically solved by the dissolution of Parliament while the Bill was yet before the Lords.⁴

Meanwhile events in the colony itself were taking a course which could not fail to bring home to the English government the need for some effective system of military administration. In the autumn of 1689 Bradstreet received a letter from the King authorizing the existing government to continue in office until further orders.⁵ New England

¹ It is set forth in a paper entitled *Abstract of Boston Charter with Comments*. This is a very strong statement of the whole case against Massachusetts. It is among the State Papers, Board of Trade, New England (vol. vi.).

² *Journal of Commons*, vol. x. p. 330.

³ See *Considerations humbly offered to the Parliament* (*Andrews Tracts*, vol. iii. p. 3).

⁴ *Journal of Lords*, vol. xiv. p. 453.

⁵ Hutchinson gives the letter in a note (vol. i. p. 390).

soon learnt that the recovery of her civil liberties was not an un-mixed gain. The overthrow of Andros had left the frontier of New England unguarded at the very moment when for the first time she was threatened by a formidable combination of savage and civilized enemies. There is nothing to show that Andros was a man of any special military skill. His plan of defense had been to place small forts occupied by garrisons along the north-east frontier, chiefly near Pemaquid. The policy was condemned by the general opinion of New England, as much perhaps from the unpopularity of its author as from any demerits of its own. But one thing was certain. However erroneous such a policy may have been, nothing could be more dangerous than the sudden abandonment of it. For years there had been petty hostilities between the Indians and the settlers of Maine and New Hampshire. Left to themselves, the settlers might have forsaken their outlying and undefended settlements and drawn together in fortified towns. Instead of that they were taught to rely upon the garrisons, and the support was then withdrawn in the very hour of supreme danger.

The result was that during the whole of 1689 the north-east frontier was harried by scattered bands of Indians, pillaging, slaying, and carrying off prisoners. Twice before had a force from Massachusetts endeavored to drive back the Indians in a body. A like attempt was again made. Six hundred men were sent from Massachusetts with an auxiliary force from Plymouth, including a troop of friendly Indians, under the command of Church.¹ As usual, the enemy, helped, it was thought, by the treachery of the native allies, dispersed and retreated, defying the endeavors of the English to strike a decisive blow. The English then withdrew, after adopting the policy condemned in Andros and planting garrisons.

Worse was in store for New England than the isolated inroads of savages. For half a century the tribes along the north-east frontier had been gradually and insensibly transformed by the influence of the Jesuit missionaries into dependents of France. Now for the first time Canada had a governor who clearly saw the value of the weapon thus forged, and who was restrained by no scruple in the use of it. Devotedly loyal to

¹ For this expedition see Church's *Entertaining Passages* (pp. 152-76; Mather, *Decennium*, p. 67.

his king and country, yet ambitious and greedy of emolument, chivalrous and sympathetic to those about him, yet unscrupulous and merciless in his dealings with enemies, Frontenac was the true pupil of a brilliant and corrupt court, of an equally brilliant and equally unprincipled school of diplomacy. There is much in the early history of the French settlements to attract and to charm one. The records of the English colonies have no tales of martyrdom to match the devotion of the French priesthood or of their lay allies, of scholarly men and of delicately reared women who resigned themselves, not only to the romantic dangers, but to the sordid wants and squalid hardships of the wilderness. Less admirable, but scarcely less attractive, is the lighthearted courage with which the French settler seized upon and amplified every feature of brightness in a life of dreary and unhopeful toil. But these things must never blind us to the sheer wickedness of the policy which the rulers of Canada adopted towards New England. No plea of self-defense can be urged in extenuation. The only direct grievance which the French could urge against New England was that she was in some measure a rival in the fur trade, and that her merchants and sailors by their intercourse with Acadia did something towards unsettling the loyalty and the religious orthodoxy of the colonists there.

No doubt the alliance of New York with the Five Nations was a source of danger to the Indian allies, and so indirectly to the French. That might have excused measures of defense, even of retaliation. No doubt when war broke out in Europe France was justified in striking a blow at England through her dependencies. But multiply those motives a hundredfold, and there is no defense for a policy which encouraged, one may even say which set on foot, a system of war where the murder of women and children and the torture of prisoners were inevitable and ordinary incidents.

The real truth was that the scanty resources of Canada made the country dependent on the fur trade, that this required as a necessary condition a widely extended alliance with the natives for freedom and security of intercourse, and that the needful, or at least the cheapest, price at which the French could purchase that alliance was by launching a horde of savages upon the heretics of New England.

There was little doubt that the raids on the north-eastern frontier during 1689 were to some extent the work of French emissaries. The resolute missionaries of the Order of Jesus had thrust forward their outposts among the Abenakis, the tribe on the borders of Maine. Conspicuous among them was a settlement near Pemaquid under one Thury. The Jesuit historian tells complacently, and as it would seem without the faintest sense of the grotesque atrocity, how Thury labored to bring all to the confessional and communion table, not men merely, but women and children, that they might the better lift up consecrated hands to heaven for those husbands and fathers who had gone forth against the heretics.¹

Early in 1690 Frontenac resolved to strike a crushing blow at the English colonies. A decisive blow one cannot call it.

French cruelty had not even the poor excuse of being a necessary stage towards effectual conquest. The English colonies were to be invaded and attacked by three separate lines. The three blows were to be struck simultaneously, so as to lessen the chance of effective resistance. But the three parties were not to work in conjunction, nor was there any scheme for a final union.

The three expeditions set forth soon after the New Year's Day of 1690. The first party, something over two hundred, half

French and half Indians, directed its course along the shores of Lake Champlain to the upper waters of the Hudson. In the dead of a winter's night they reached Schenectady, a frontier town of New York, containing some eighty houses. The inhabitants with reckless folly had left the town gates open. There was no resistance worth the name, but two hours of butchery. The exact number of lives taken is uncertain. Sixty were carried off prisoners and a few escaped to Albany. The demolition of the wooden town by fire was easy, and by the morning but two houses were standing.

The tragedy of Schenectady was re-enacted at Salmonfalls, near

¹ Charlevoix, vol. i. p. 557.

² The best account of this triple invasion is to be found in a French State Paper, a memorial presented by De Monseignat. He was Controller-General of the Navy and the Fortifications of Canada. His memorial is supposed to have been addressed to Madame De Maintenon. There is a translation of it among the New York Documents (vol. ix. pp. 462-91).

Dover. There another invading force found the town unguarded, marched in, burned down most of the town, slew some thirty persons and carried off more than fifty prisoners.

The third line of attack was that on which the chief blow was to be struck. A force of nearly five hundred, mostly French, was to march through what is now New Brunswick to the coast of Maine. Before that march was accomplished the English had struck a retaliatory blow. By land the French settlements were practically invulnerable. The Mohawks might destroy a missionary station and add another to the roll of Jesuit martyrs, but that undaunted Order had a fresh recruit ever ready to fill the empty place. No force that New England could send out by land could act with any hope of success against Quebec, and as with the mother country so in New France, the economical, political, and social life of the colony centered in the capital. To this, however, there was one partial exception. Acadia had now for thirty years been growing under French rule into a prosperous community. It numbered nearly seven thousand inhabitants, dependent, not on a roving trade, but on fisheries, on the exportation of timber, and on agriculture. The chief town, Port Royal, was protected by a fort with a garrison of only sixty men, and might be attacked from New England before it could be relieved from Quebec. To the English the settlement was a source of danger and annoyance, both as a shelter for privateers and as a basis of communication with the Indians on the frontiers of Maine. Here it was plain was the point at which the English colonists should strike.

There were other advantages in this course besides those strictly military. A land attack would not only be difficult but costly and unremunerative. A privateering expedition against Port Royal might be fitted out at no great cost, and there would be the prospect of plunder, not only from the settlement itself, but from French merchantmen that might be trading in that quarter.

At the beginning of 1690 the Court of Massachusetts issued an order placing two armed sloops at the disposal of any volunteers who would use them against the French at Penobscot, St. John's, and Port Royal, and promising them all the booty so taken.¹

¹ This order and the subsequent one commissioning Phipps are both quoted by Mr Bowen (pp. 39-41).

Phipps was now in Massachusetts. His temper and experience both fitted him and inclined him for such an enterprise. We may believe too that he knew enough of English politics to see that a successful attack on the French settlements would be the best passport to the favor of the new government.

The offer failed to attract volunteers. But neither Phipps nor those in authority were disposed to abandon the scheme. The Court gave orders that a force of five hundred men should be raised, if necessary by press, and Phipps was placed in command. At the end of April he set sail with upwards of seven hundred men embarked in eight ships. Nothing could illustrate more strongly the contempt of the French settlers for their neighbors than the fact that for four months the government at Boston should have been arranging this attack, and that it should have found Port Royal wholly unprepared. A summons from the fleet to surrender was disregarded, and Phipps landed his men. De Meneuil, the French commander, then saw the hopelessness of his position. The place was given up, with the stipulation that private property should be respected and that the garrison should be transported to some French port.

Meanwhile the third and the most formidable of Frontenac's bands had made its raid on Maine. On the sixteenth of May they appeared before Falmouth. In the time of *Siege of Falmouth.*¹ Andros this had been occupied by a garrison. Their commander, Lockhart, was a Papist, and his appointment contributed not a little to the distrust with which the people of New England regarded the military policy of their Governor. If we may believe Andros, after the Revolution this place was for a while abandoned.² But before the French invasion it was garrisoned by seventy men under the command of one Sylvanus Davies. Some years later the place was described in an official report as an ill-built wooden fort. Yet the little garrison held out for five days, fighting against overwhelming numbers with the desperation of men who remembered the fate of Schenectady and of Salmonfalls. The enemy succeeded in firing the town, and by the afternoon of the twentieth most of the houses were in

¹ For this we have, on the French side, Monseignat, and, on the English, the Report by Sylvanus Davies, the commander of the fort. It is in the *Massachusetts Historical Collection* (3rd series, vol. I.).

² See Andros's Report in the *Andros Tracts*.

ashes and most of the defenders either killed or wounded. The besieged then hoisted a flag of truce. Hitherto they had believed that their assailants were Indians. Now they learnt that they were in the hands of men who professed to be civilized. Terms of surrender were arranged. Quarter was to be extended to all, both garrison and inhabitants, and they were to be guarded as far as the nearest English settlement. The agreement was scarcely made before it was broken; the Indians were let loose for their work of butchery, and the French commander, Portneuf, looked on while women and children and wounded prisoners were massacred.

The tragedy was but just over when a detachment of Phipps's force appeared off the coast. Their presence may have saved the towns further south from sharing the fate of Falmouth. Portneuf retreated to Quebec, carrying with him Davies and a few prisoners who had escaped massacre, and harrying and destroying the English settlements along his line of march.

The conquest of Acadia may have involved no great display of military skill or daring. Yet, apart from the substantial value of the conquest, it marked the beginning of a new and a sound policy. If it did not call out, it confirmed a spirit which was beginning to show itself at Boston. In pamphlets and from the pulpit men were reminded of the terrors of an invasion of French Papists, of the paltry and short-sighted meanness of those who shrunk from the outlay needful for defense. Was it best to pay a rate of twenty pounds or a ransom of hundreds? Was New England to have written as her epitaph, "A people that died to save charges"?¹ With the overthrow of Andros and Randolph and their like the dark cloud of sloth and distrust that hung over the colony had rolled away; her air was once more bright with the self-reliant patriotism of earlier days.

Placed as New England was a merely defensive policy was impossible. The difficulty was in fact, on a far larger scale, that which fifty years earlier had presented itself in dealing with the Pequods. It was not enough to ward off

¹ This expression occurs in a pamphlet entitled *Further Queries upon the present state of the New English Affairs*, published in the first volume of the *Andros Tracts*. The writer signs himself S. E., and describes himself as "not a native of New England, but a great observer to and well-wisher of it."

isolated attacks. Such attacks must be made impossible by a blow at the source from which they sprung. For Massachusetts single-handed to menace Canada was clearly hopeless. But in the present state of affairs it seemed scarcely less hopeless for the colonies to concert any scheme of united action.

Not one of the New England plantations had more than a provisional government. Vague intentions of uniting Plymouth and Connecticut to one or other of their stronger neighbors were on foot. New York, the natural ally of Massachusetts in any measure against the French, could hardly be said to have a government or to be a united commonwealth. That the colonies should at such a time have thought of concerted action against Canada showed how urgent they felt the case, and how eagerly they threw themselves into the policy of their new rulers.

In May 1690, while Phipps had but just sailed from Nantasket, a congress met at New York. Massachusetts, Plymouth, *Expedition against Quebec.* and Connecticut each sent two representatives. The result of their deliberations was to raise an allied force of between eight and nine hundred men to march upon Montreal, while the Massachusetts fleet under Phipps was to attack Quebec.¹ At the end of July the troops set forth on their march, and ten days later Phipps sailed with thirty-two vessels and two thousand two hundred men.²

The land force worked its way along the valley of the Hudson, carrying its provisions partly in canoes, partly on horses. A fortnight's march brought it to Wood Creek, close to the south-east extremity of Lake Champlain.³

How real Frontenac felt the danger was shown by his conduct. As soon as the tidings of the intended attack by land reached *Quebec in danger.* Quebec, the Governor hurried to Montreal with such troops as he could raise, to put the place in a state of defense. The capital was left to be guarded by a force of two hundred civilians. Davies, the commander of the ill-fated garrison of Falmouth, was a prisoner in the town, and has left a vivid account of the fluctuating fears and hopes with which the citizens heard the vague rumors of the approach of the English

¹ Leisler to Shrewsbury, June 23, 1690 (New York Documents, vol. iii. p. 732).

² *Magnalia*, bk. ii. p. 48.

³ The best account of the land expedition is to be found in the journal kept by the commander, Winthrop. It is in the New York Documents (vol. iv. pp. 293-6).

fleet. Small-pox broke out on board the ships, and the lack of skilled pilots delayed the ascent of the river. For a while too the hopes of the citizens were buoyed up by rumors that a French fleet had fallen in with the enemy. But when in the last week of September news reached the town that the invaders were actually in the river, the inhabitants, forsaken as it seemed by their Governor and bereft of military help, began to talk of surrendering.

The danger was averted by the total failure of the land expedition. As in the fleet, small-pox broke out and the march was hindered by the jealousies and difficulties which so often beset an allied force. John Winthrop, of Connecticut, the eldest son of the late Governor, was in command. His appointment had been in itself a subject of dispute. That the commander should have been chosen from a colony which contributed a relatively small contingent was a misfortune. Milbourn, who was at the head of the New York troops, had expected the supreme command, and was captious, disloyal, and incapable. When the force reached the lakes they found that there was no sufficient supply of canoes, and there were other signs that the Indian allies were indifferent or wavering. The commissariat too failed, and on the fifteenth of August, after a council of war, the force began its retreat to Albany. All danger by land was at an end, and Frontenac with his troops hurried down to Quebec.

On the fourth of October he was again in the town, with a force of two thousand seven hundred "brisk men, well armed," as Davies describes them. Frontenac had arrived none too soon. Two days later the English fleet anchored off Quebec. Phipps seemingly had some faint hope that the policy which had succeeded against Port Royal would serve him here. He at once sent Frontenac a summons to surrender. If there was no answer within an hour Phipps would open fire upon the town. The only reply of the French Governor was to denounce the people of New England as traitors who had rebelled against their natural sovereign, the ally of the King of France. The messenger was sent back with the declaration that Phipps was to look neither for peace nor compromise.

Phipps
before
Quebec.¹

¹ Mr. Parkman has brought together all the authorities for this attempt.

The English commander therefore decided on his plan of attack. His troops were to be landed below the point where the Charles falls into the St. Lawrence. By the help of boats and small vessels from the fleet they were to cross the Charles and to attack the town from the east, while the fleet bombarded it.

Whatever chance of success there might have been was destroyed by the various hindrances which had delayed an attack. As Phipps was lying at anchor waiting for daylight to begin his assault, a shout of triumph was heard from the town. A force of seven hundred men, set free by the failure of the expedition against Montreal, had entered Quebec, recruited on the way by volunteers from the country around.

A scheme of attack unpromising in itself was made hopeless by Phipps's reckless impatience. Without waiting for his land force to get in position, he opened fire. The batteries of the town were more than a match for his inexperienced gunners, and the fleet withdrew discomfited. Walley, the commander of the land contingent, was left to force the passage of the Charles unsupported. The troops were harassed by sickness and by lack of food and ammunition. In the skirmishes before the town they conducted themselves with courage and good discipline, but it was clear that all thought of an attack on the town must be abandoned. The troops were embarked, and ten days after the first appearance of the English fleet before Quebec it weighed anchor for Boston.

As regards its main object the expedition was a total failure. Yet New England was not in all ways a loser by it. It was something to have shown the French that she had the will to retaliate, and that she understood the one effective means of retaliation. Of the various causes which had led to failure some were manifestly due to chance, none were absolutely insuperable. The incapacity of Phipps as an administrator, his hopeless want of personal dignity, the gloomy incidents which befell Massachusetts during the later years of his public career, all tended to obscure the memory of substantial services, and even more, of a policy vigorously conceived, if not vigorously executed. It was something for the Salem ship-carpenter to have been the first to lead his countrymen into that struggle which was to decide the supremacy of England or France in the New World.

It was something for him to have been, even tentatively and with but partial success, the forerunner of Wolfe.

The worst side of the attempt was the loss of money. The Massachusetts government, with a daring indifference to all principles of finance, had embarked on the expedition with ^{Financial} ~~no~~ provision for payment but the hopes of booty. It might have been no very difficult task to raise money when the public mind was flushed with the capture of Acadia, and with sanguine confidence in the coming campaign. But the failure at Quebec had, by a natural revulsion, begotten a spirit of exaggerated despondency. The frontier raids of the previous winter might be renewed with even more destructive effect. Consequently, when the government paid its troops by a large issue of paper money, public credit at once fell, and the notes were at a discount of thirty per cent. Phipps, who was enriched not only by the treasure of the Spanish ship and the plunder of Port Royal, but by the fortune of a thriving widow whom he had married, strove to raise the value of the bills by buying a large quantity at par, a proceeding quite as likely to have aggravated public suspicion as to have allayed it.¹

The rapidly expanding resources of a new country were more than equal to the strain put upon them. The danger of an Indian invasion was suspended by a six months' truce, agreed upon at the end of November.² The government redeemed its debt, though not without considerable loss to the first recipients.³

Early in the next year Phipps was again in England, urging on the King the need of a vigorous and aggressive policy against <sup>The colo-
nial policy
of William</sup> Canada as the only means of checking the French and of neutralizing their intrigues with the savages. He pointed out too the incidental advantages in stimulating and securing the fur trade and the fisheries to the north of the Kennebec.⁴

We may be sure that his counsels, and still more the actual events of the last year, were not wasted on the King and his advisers. The colonies must be dealt with in such a fashion as to secure easy and effective co-operation against Canada. At the

¹ Hutchinson, vol. I. p. 402. *Magnalia*, bk. II. ch. 12.

² This truce is among the supplementary Hutchinson Papers in the *Mass. Hist. Coll.*, 3rd series, vol. I. p. 112.

³ Hutchinson and Mather as above.

⁴ *Magnalia*, bk. II. p. 55.

same time their civil liberties must be so treated that their co-operation should be zealous and loyal. Looked at merely as a question of colonial administration, William might well be tempted to copy the policy of his predecessor, and to consolidate the whole body of colonies from New Hampshire to New York under a single government. Rumors of such a measure were afloat in a form definite enough to alarm the colonists. Men in Plymouth were made uneasy, as those in Connecticut had been before the Revolution, by reports of intended annexation to New York.¹

There were however two strong objections to such a scheme. In the first place, it had been the policy of James, carried out harshly by men whose unpopularity was not redeemed by any administrative capacity. A measure which was identified with the memory of Andros and Randolph could not but be odious to the settlers, apart from its own defects. Moreover, no such union could be effected without annulling the charters of Connecticut and Rhode Island. To take away political rights which had been conferred less than thirty years before would have borne a perilous likeness to the policy of James. The cases of Plymouth and Massachusetts were different. The former had never enjoyed a charter. The latter had undoubtedly built up their alleged rights by successive interpretations of their charter, not perhaps contradicting the original grant, but undoubtedly going beyond it. The representations of Andros and of his adherents were not likely to do Massachusetts serious harm. The jealousy felt by those English traders to whom the success of the Revolution was so largely due was a more important factor. But that which really must have told most in determining the policy of William was the past administrative history of the colony. There had been no change in those permanent officials who were responsible for the details of colonial government. For the present the colonies were administered as before the Revolution by a Committee of the Privy Council. William Blathwayt was still retained as Secretary. It needs little familiarity with official life to know how largely a department is influenced by so-called "traditions." For years past all officials who had to deal with Massachusetts must have felt how a mixture of pride and distrust had made the task of administration under existing conditions well-nigh hope-

¹ Mather in the *Andros Tracts*, vol. ii. p. 284.

less. It was not that the wishes of the colonists were expressed and disregarded; the difficulty was to extract from the representatives of the colony any definite declaration of their real wants, or to learn what co-operation the English government might expect. Agents had been sent over, in no way representative men, jealously tied down by instructions, all of which had for their burden, "Commit us to nothing." In Mather at length the colony had sent a spokesman in whom English statesmen found a sympathetic and intelligent counselor. Yet he had now yoked with him two colleagues who represented nothing but the old colonial policy of isolation and distrust. Now that New England herself had forced the home government to recognize the need for ready and united action against the French, that could no longer be tolerated. At the same time gratitude and policy alike forbade any scheme which should seriously impair the constitutional rights of self-government enjoyed by the colonists. How to retain these, and yet to impose a system of control which should be effective and, even more, should act readily and without friction, was the problem which had to be solved.

In September 1691 the new charter appeared.¹ Plymouth and the newly acquired territory of Acadia were both incorporated with Massachusetts, and Maine was retained as part of the colony. By a singularly unfortunate arrangement, due in all likelihood to a corrupt exercise of private influence by the Proprietor, New Hampshire was allowed to remain separate, a gap in the otherwise continuous line of defense against Canada.

The machinery of the new constitution closely resembled the old. There was to be a General Court, consisting of a Governor, a Council, and a House of Deputies. This body was to levy taxes and to constitute courts of law.

The influence of the Crown was to be exercised both directly and indirectly. The King was to appoint the Governor, the Lieutenant-Governor, and the Secretary. The Governor was to have a veto on Acts passed by the Assembly. When an Act had been approved by him, it came into force as a law provisionally, but might be annulled by the Crown within three years. The Council was to be constituted in a somewhat complicated manner.

¹ The charter is printed as a preface to the first volume of the Acts and Resolves.

It was to consist of twenty-eight members annually appointed. At the outset the Councilors were to be nominated by the Crown. After that they were to be elected each year by the General Court. At the same time the Council was not wholly stripped of its representative character, since it was provided that eighteen of its members should be inhabitants of Massachusetts, four of Plymouth, three of Maine, and one of the territory to the north. The Governor was to be Commander-in-chief of the colonial militia, and to appoint subordinate officers. Judges were to be appointed by the Governor and Council. To this an exception was made in the case of judges in the Admiralty Courts, who were appointed by the English Lords of the Admiralty.

Perhaps the weakest point in the new constitution was the arrangement by which three of the colonial departments, the Admiralty, the Customs, and the Post-office were made each directly dependent on the corresponding department in England. If the system of double government was to work smoothly, the points of contact should have been as few as possible, and the control which the Crown was to enjoy should have been exercised through a single channel.

The political rights of the colonists were not only curtailed but also redistributed. The franchise was to be no longer limited to church-members, but was to be secured by a property qualification of forty pounds in personalty or a freehold estate worth two pounds a year.

To Danforth and to those who had acted with him, and in some measure inherited the spirit and the traditions of the founders, that change would in itself have made the new constitution odious. To the disenfranchised inhabitants themselves it was the overthrow of a tyranny more dreaded from its possible than its actual consequences. We cannot doubt that to the majority of moderate and thoughtful men, even among those whose privileges were to be swept away, it seemed the peaceful removal of a system which the community had outgrown. In the past it might have been a necessity, in the future it could only be a source of disunion and danger.

Though by nominating the chief officials the Crown curtailed the rights of the colonists, yet there were compensating advantages in the new system. If the political rights of the colonists

were impaired, those which were left were placed on a surer footing. The old charter made the colony in a great measure a self-governing body, but it did so constructively and by implication. There was no provision in it which authorized the colonial government to exercise criminal jurisdiction. There was no express reservation of the right of the settlers to be taxed by their own representatives. The new charter gave the colonists the power of the purse. By conferring the right of taxation on the Assembly it excluded, at least by implication, the possibility of taxation by the Governor. The Crown would be at least unwilling to claim any right of taxation independent of the Governor, since it would be thereby discrediting its own representative. The charter did not, indeed, distinctly exclude the possibility of taxation by Parliament. But the colonists might feel secured by the fact that any such attempt would be in spirit an encroachment on the prerogative of the Crown.

Hitherto the question of jurisdiction had been always regarded as more important than the question of taxation. The possibility of an appeal in criminal cases to the Crown or to any authority in England had always been looked on with suspicion. The new charter did not indeed definitely settle this question. Unluckily it left it to serve as a subject for future disputes. But so far as it dealt with the matter at all, it dealt with it in a manner favorable to the colonists. By the new charter a right of appeal was expressly reserved to the Crown in civil cases where an amount of three hundred pounds in personal estate was at issue. This form of appeal was not likely to be in itself a grievance, and the colonists might reasonably hold that the Crown had abandoned the general claim to hear appeals by asserting it in special cases. There was too in the new charter one broad gain of more importance than these detailed advantages. The same document which defined the rights of the Crown also defined the rights of the colonists. The situation in fact was like that which the Revolution had created in England. If hereafter the Crown infringed the chartered rights of the colonists, it would at the same time destroy its own title deeds. Nor was that all. The action of the Crown and the action of the freemen in the machinery of the constitution were so interdependent that the latter could at any moment arrest the process of government.

Sagacious men might see in this a compensation for what they were losing. But we may be sure that to most New Englanders the external and visible symbol of submission, the substitution of a Governor named by the Crown for a Governor chosen by the people, told for more than the ulterior and indirect results of the change. The other results of the change might appeal to the reason; this it was that appealed to the imagination, and with masses of men the imagination works more rapidly, if not more effectively, than the reason. The spirit which animated the old Puritan commonwealth had passed away, and it was beyond the power of any legislative contrivance to recall it. But a gradual transformation in the temper and ideas of a community may be overlooked; no one could overlook the fact that an English official, a nominee of the court, sat in the place of Winthrop and Endicott. Yet the change marked a necessary stage in the growth of the colony. For the work which New England had to do it was needful that she should be drawn out of the narrow track in which she had hitherto walked. Various influences were at work to bring about this. Not the least powerful was the presence of English officials, the mental atmosphere which they brought with them, the connection with the political life of the mother country which they kept alive.

On several points the agents had done their best to secure more liberal terms for the colony.¹ It was but natural that the agents should regard the measure as a defeat. Cooke and Oakes plainly belonged to the party which had staked its hopes on the restoration of the old charter. Intercourse with leading men in England, that insight which he gained into the foreign policy of the new King, must have modified the views of Mather. At a later day indeed his son wrote as though the restoration of the old charter would have been a calamity, from which Increase Mather had delivered the colony.² To have reached that point of view was a crowning triumph of that optimistic vanity which entered so largely into the character of the son, and was not wholly wanting in the father. The charter was a family achievement, and that was enough to entitle it to all honor. As a

¹ This is shown by a document among the Colonial Papers headed "Abstract of Minutes for Charter." It has a marginal note to each clause, showing which were accepted by the agents and to which they took exception.

² *Parentaker*, pp. 138-44.

matter of fact, it is clear that Mather on this point shared the regrets of the generality of New Englanders.

At the same time Mather and others who thought with him had good grounds for not disparaging the new constitution in the eyes of their countrymen. It had to be worked, and it was far more likely to be worked with success if it was accepted in a spirit of loyal good-will. Massachusetts had to bear her part in a connected scheme of colonial defense; she could gain much by loyal co-operation; she could gain nothing by sullen regrets.

The appointment of Phipps as the first Governor under the Crown was a direct and on the whole a successful appeal to the good-will of Massachusetts. He was probably not the man whom the colonists would have chosen, would have even dreamt of choosing, if left to themselves.¹ The rough, hot-tempered, self-made seaman was to such predecessors as Winthrop, or even Bradstreet, what Andrew Jackson was to the younger Adams. But though Phipps had little in common with the traditional heroes of the Puritan commonwealth, yet he was one of whom New England might fairly be proud. Above all he was a son of the soil. His appointment seemed a guarantee, not fulfilled by later events, that the English monarchy would administer the colony, not through courtiers or officials trained in English public life, but through men in every way identified with the colony, fully able to enter into its wants and feelings.

The weakest part in the policy adopted towards Massachusetts was the treatment of New Hampshire. There is among the Colonial Papers a full account, by no means improbable in itself, of the intrigue by which this was brought about.² One Samuel Allen, a London merchant, bought from Mason these rights of which he had so signally failed to make profit in the days of Cranfield. The success of Allen's speculation depended on the policy now adopted towards New Hampshire. Accordingly, he made interest with the advisers of the Crown by transferring shares in his undertaking to three noblemen. One was the Duke of Leeds, with whom he had before had some dealings. Another was Leeds' associate in power, in

¹ This is not Cotton Mather's view. He says that Phipps would have been chosen almost unanimously. *Magnalia*, bk. II. p. 70.

² This scandalous story is told very fully and plainly in a report from Lord Bellomont June 21, 1700 (*Col. Papers*, America and West Indies, p. 569).

unpopularity, and in corruption, Lord Lonsdale. The third was one of William's Dutch favorites, the younger Schomberg, Lord Leinster. Leeds however, and as it would seem his associates, backed out of the arrangement. Allen then fell back on a humbler accomplice. Blathwayt, the Clerk to the Privy Council, advanced him a sum of money. For this, if the claim to New Hampshire was made good, Allen was to repay him three thousand pounds, or in default of such payment half his proprietary rights.

The date of this transaction is not stated. But we can hardly be wrong in supposing that the exclusion of New Hampshire from Massachusetts and the establishment of a separate proprietary government there was due to the corrupt influence of Blathwayt. No charter was granted, but in 1692 a commission was issued to Allen constituting him Governor.¹ His son-in-law, Usher, a thriving tradesman at Boston, was Lieutenant-Governor, and a Council was appointed, nominated in part by the Crown, in part by the Proprietor. Allen's commission also authorized him to summon a representative Assembly elected by the freeholders. But nothing was said as to the number of representatives or the frequency of their meetings, nor had the colonists any guarantee that this would form a permanent part of their constitution.

It was at once politic and equitable for the new government to treat the charters of Connecticut and Rhode Island as resting on a wholly different footing from that of Massachusetts. Settlement of Connecticut. In 1690 any fears that the citizens of Connecticut might have felt were set at rest. Treby and Somers, the Attorney and Solicitor General, gave opinions to the effect that the submission made to Andros did not invalidate the charter. That opinion was to all effects a legal confirmation of the constitution.²

Nevertheless, the Crown did by its action elsewhere encroach on those privileges. The charter gave the government of Connecticut full control over its own militia. Dispute about the militia. Yet the commission granted to Phipps as Governor of Massachusetts authorized him to take command of the militia in Connecticut, Rhode Island, and New Hampshire. As soon as Phipps attempted to put his right in force the Court of Connecti-

¹ The commission is printed in the *New Hampshire Provincial Papers* (vol. ii. pp. 32-33).

² The opinions of Treby and Somers are printed in Trumbull (vol. i. p. 387).

cut resisted, pointing out that his claim was inconsistent with their charter. He thereupon forbore to press the matter.¹

In 1693 Benjamin Fletcher was nominated Governor of New York. He also held a supplementary commission authorizing him to command the militia of the neighboring colonies.² It might be expedient to centralize and consolidate the military power of the colonies. Assuredly it could not be well to do this by setting up conflicting jurisdictions, and by claiming the right to suspend at any time a certain portion of the constitution which had been formally acknowledged.

Fletcher, unlike Phipps, stood firmly on the rights conferred by his commission. He went to Hartford and summoned the militia. The Assembly called together the train-bands at Hartford, but, as it would seem, rather with the view of resistance than of compliance, since at the same time they protested against Fletcher's action. There is a tradition, probably in the main trustworthy, that Fletcher, accompanied by his Secretary, presented himself before the train-band and endeavored to have his commission read. This was frustrated by the energetic resistance of the commander. He was that Captain Wadsworth who, according to tradition, had at an earlier day saved the charter from Andros. He now stifled the sound of the proclamation by his drums, and then threatened to draw his sword on Fletcher if he persisted.³

Whatever amount of truth there is in these details, it is clear that the Court of Connecticut held fast to its charter. If they gave way on this point, what guarantee, they asked Fletcher, had they for any of their civil rights? Fletcher went away discomfited and in dudgeon, and soon after we find him sending home complaints that the laws of England were not in force in Connecticut, and that the settlers there were endeavoring to make themselves independent of the Crown.⁴

The men of Connecticut had fortunately anticipated that attack. As soon as Fletcher's claim was known the Assembly called together a convention of all the freemen, and proposed to them an address to the King. Upwards of two

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¹ For this dispute see *Connect. Records*, vol. iii. p. 77, *ss.*

² *New York Documents*, vol. iv. p. 29.

³ This tale is vividly told by Trumbull (vol. i. p. 392). An official report, authorized, as it would seem, by Fletcher, is in the *New York Documents* (vol. iv. p. 69).

⁴ Letter from Fletcher to Southwell, October 30, 1693 (*New York Documents*, vol. iv. p. 71).

thousand of the freemen met and approved of the proposal.¹ A petition was drafted and sent by Fitz John Winthrop. He was also furnished with an address or with the heads for an address to the King. This set forth the general loyalty of the colony and the satisfaction with which they had accepted the Revolution. It pointed out that the militia included the whole male population who could bear arms. Whoever had the command over it became the absolute master of the lives and the property of the whole community.²

The home government held to its traditional policy of dealing tenderly with the rights of Connecticut. The claim to control the militia was withdrawn, and it was ordered instead that the colony should put a contingent of a hundred and twenty men at the disposal of Fletcher.³

The opinions which had been given in support of the charter of Connecticut were an indirect confirmation of that of Rhode Island. But it was not till 1693 that an explicit opinion was given in its favor. For nearly a year after the overthrow of Andros the machinery of the constitution remained inactive. A meeting of the Assembly was summoned in October. But the mainland towns failed to hold any elections, owing, as they themselves pleaded, to bad weather.⁴ Walter Clarke, whom the freemen immediately after the revolution chose as Governor, seems to have shrunk from responsibility. In February 1690 the Assembly met. Clarke resigned the governorship. Some difficulty was found in filling his place. The office was conferred on Bull, a man upwards of eighty, one of the original associates of Coddington in the settlement of Providence. He however resigned in the following summer. Coggeshall refused to fill the vacancy, and the office was then conferred on Easton.⁵

In 1693 the settlers of Rhode Island received the assurance of a legal opinion from Ward, then Attorney-General, that the proceedings of Andros had not invalidated their charter.⁶ The imperfect condition of the Colonial Records makes it difficult to

¹ Connect. Records, vol. iv. p. 102.

² There is a little obscurity about this. Trumbull (vol. i. p. 390) gives the substance of an address. The petition is printed in the New York Documents (vol. iv. p. 102). But it is clear that this petition and the address epitomized by Trumbull are not identical. The view which I have taken in the text seems to me the only one which is consistent with these facts.

³ New York Documents, p. 106.

⁴ R. I. Records, vol. iii. p. 260.

⁵ R. I. Records, vol. iii. pp. 269-71.

⁶ *Id.* p. 293.

learn much of the inner life of the colony in the years which followed the Restoration. With domestic troubles Rhode Island had always been familiar, but, save for the short-lived terror of Philip's war, the colonists had suffered nothing from foreign enemies. Now they were to bear their share of that scourge of French invasion which had overtaken the whole body of New England colonies. In 1690 a French privateer harassed Rhode Island and the adjacent coast, and even threatened Newport. Rhode Island had to guard itself against three more such attacks during the next four years.¹ It was some compensation that they called out a spirit of naval enterprise, still more that they united Rhode Island to the other colonies by a sense of common danger and the need for a common policy.

When Phipps landed at Boston he found his countrymen taken up with troubles other than political. The story of the so-called The Witch-
craft Salem Witchcraft tragedy has been told too often and too graphically to need any detailed description. Yet it cannot be passed over. Of all communities New England is the very last where any general movement of thought, any public action produced by some widely spread belief about spiritual matters, can be treated by itself, detached from the general course of historical events. One of the most conspicuous features of New England was the unity of life, the interdependence of its various elements. None of those elements exercised an influence so strong and so widely diffused as men's beliefs about the invisible world. In the matter of witchcraft the speculative opinions of the New Englander were probably neither different from those of most other men nor more dangerous. He believed that human beings could, by compact with evil spirits, obtain power to suspend the laws of nature, and could thus injure their fellows by processes wholly at variance with those laws. He believed that the injury so inflicted would usually show itself in the form of possession, that is to say, by symptoms which, in the present day, we should recognize as insanity, and that the evidence of a person showing these symptoms was to be received as that of any ordinary witness. In this the New Englander only believed as his contemporaries elsewhere believed. But the action of men is determined not so much by their speculative beliefs as by the

¹ Arnold, vol. i. p. 522.

manner in which those beliefs are held. The New Englander not merely thought that the ordinary laws of the material world might be suspended. He was ever on the watch for such suspension.

There were two features besides which made a special danger. It is hardly too much to say that the faculty of testing evidence was extinct in New England. The canons whereby truth can be known from falsehood were imperfectly understood and regarded with suspicion. There was too, as we have seen, something of a morbid interest in the details of mysterious crime.

These tendencies are well illustrated in an account of a case of possession written in 1671 by Samuel Willard, a minister of high standing in Massachusetts.¹ There can be no better explanation and illustration of the temper in which men entered on the witchcraft trials. A woman at Groton, Elizabeth Knapp by name, began, in Willard's words, "to carry herself in a strange and unwonted manner." She shrieked without any cause, she laughed immoderately, she threw herself violently on the ground. This lasted for a fortnight, and then, as Willard describes it, "the tragedy began to unfold itself;" in other words, the woman became violently insane. Among her delusions was the belief that a neighbor had come down the chimney in the night and struck her. Fortunately, Knapp admitted that this was a delusion of Satan. The person accused too was of "sincere uprightness before God." But it is clear from Willard's manner of writing that Knapp's opinion as to whether it was her neighbor or Satan who had come down the chimney was considered as evidence of some value, and that it was a case where the previous character of the person charged should be taken into account. The mode of treatment now adopted is perhaps the most instructive feature in the whole case. "Divers, when they had opportunity, pressed her to declare what might be the true and real occasion of these amazing fits." It was apparently some little time before this process succeeded in producing delusions of the desired pattern. But perseverance was at length rewarded, and the lunatic "broke forth into a large confession in the presence of many." She gave, that is to say, a minute description of her dealings with Satan. She was then sent to

¹ Willard's account is in the Mather Papers, pp. 555-70.

Lancaster that the minister there might pray with her. There her friends seem to have lapsed into common sense, and a physician was sent for. He pronounced that she was suffering from "foulness of stomach and corruptness of blood." She was then sent home and treated with drugs. It is significant of Willard's confused frame of mind that he did not reject the explanation of a physical cause. He apparently admitted that Knapp might be suffering from "fumes in her brain and strange fancies." At the same time he proposed to study and even to stimulate these fancies, believing that it was possible to extract from them a body of trustworthy evidence as to the dealings of the patient with evil spirits.

The next stage is perhaps best described in Willard's own language. As a consequence of the medical treatment Knapp "was not in such violence handled in her fits as before, but enjoyed an intermission and gave some hopes of recovery; in which intermission she was altogether senseless (as to our discovery) of her state, held under security and hardness of heart, professing she had no trouble upon her spirits, she cried Satan had left her." In other words, the delusions and the symptoms of insanity abated. So at least we should say. But in the eyes of Willard and those who acted with him the intervals of sanity were those in which Knapp was describing her conversations with Satan; the delusion consisted in her belief that she had nothing of the kind to tell. To put an end to this unhappy condition, "a solemn day was kept with her." For a while the patient remained obstinately free from delusions. A second attempt was more successful. After a whole day had been spent in prayer with her, "the fits something more increased, and her tongue was for many hours drawn into a semicircle up to the roof of her mouth." The so-called confessions were resumed, and from that time she poured forth a string of revelations as to her dealings with the devil. At intervals she had paroxysms of fearful violence; she laughed immoderately; she barked and bleated; she struck those about her and spat in their faces. At times the delusions and the violence ceased; she suffered from religious melancholy, and at times she was in a "sottish and stupid kind of frame." From this however she was always roused by a process of prayer and cross-examination. But though she told many details of her

dealings with Satan, his accompanying her on a ride in the form of a black dog with eyes in his back, and other passages between them, yet she steadily denied that she had made a covenant with him. At last, after she had for more than a month undergone treatment the very best fitted to increase her insanity and to impel it in one special direction, she withdrew this denial, and made a full and detailed confession of her compact with the Evil One. Willard's very minute account of the case ends up with what may in a certain sense be called a judicial summary of the whole matter. He sees that, starting from his theory, there are three possible explanations. The woman might be possessed by an evil spirit, and all her supposed confessions might not be really her own utterances. Or she might be insane. Lastly, she might really have entered into covenant with the evil spirit. This was in some measure compatible with the first view. She might be possessed, but owing to her own guilty action. It may be said that, as between the theory of insanity and the theory of possession, there is only a verbal difference. Practically as regards the main issue this is so. The question is, whether a person in the frame of mind described by Willard could give evidence which could be of any value? To that there can be only one answer. A witness with all the symptoms of acute insanity is no witness at all. How those symptoms are caused is immaterial.

Though there may be nothing exceptional in the case, yet it deserves a detailed study as an excellent illustration of the conditions which made the so-called witch tragedy possible. The Knapp case shows the views of New Englanders, not excited or terrified by any special events, but in their ordinary quiescent state. Willard was a well-educated man, who at a later date held the second post of authority at Harvard. His account proves that he was in a certain sense not a credulous man. He never relies on vague hearsay; what he records is of his own knowledge; he sets forth the various possible explanations of the matter fairly and impartially. Nor was there in Willard anything of the temper of the persecutor, of the man who feels a certain satisfaction in inflicting suffering in what he thinks a righteous cause. When Knapp's ravings showed a tendency to implicate others, Willard, so far from showing any readiness to suspect guilt, discouraged

such statements, and evidently wished not to believe them. His feeling towards Knapp herself, even when he suspects the worst, is plainly one of compassion, quite as much as of horror. Yet with all this he was not merely sanctioning, but actively promoting, a state of things where the ravings of a lunatic were taken as valid evidence in a matter of life and death.

The circumstances to which we owe the preservation of this story in such minute detail have in themselves an important bearing on the question. The shrewdness and clear-sightedness which distinguished Increase Mather in public life did not in things concerning religion raise him above the prejudices of his age and his profession. About 1684 he bethought him of publishing an account of what he called "Illustrious Providences in New England," in other words, a miscellany to which any one might contribute an account of anything which sounded like a miracle. The conditions of life in New England made such a publication peculiarly dangerous. The human imagination, starved by asceticism, robbed of all natural and wholesome aliment, revenged itself by seizing greedily on the marvels presented to it. Amid the monotony of Puritanism, morbid curiosity could wish for no better amusement than hunting for traces of Satanic influence, morbid vanity could find no easier road to notoriety than by contriving for itself some part to play in a witch case.

The seed which Mather had sowed soon bore its appointed fruit. The details of the witchcraft trials themselves may be set forth shortly. In 1688 the four children of one John Goodwin, of Salem, the oldest aged thirteen, the youngest about five, fell out with an Irish washerwoman. To be revenged they denounced her as a witch. To support this charge the children went through all the gestures thought to be appropriate to possessed persons. Their supposed enemy was tried and hanged. How far the proceedings of these children were the result of deliberate imposture may be doubted. Some of the symptoms, such as the simulating of bodily deformities, seem rather to point to hysteria. Whatever the cause may have been, there can be little doubt that if the children had been left to themselves there would have been an end to the matter. Most unfortunately the case came under the notice of Cotton Mather.

Vanity, credulity, and benevolence were his main characteristics, and here was a chance of gratifying all three. He at once set to work at the congenial task of unearthing and discomfiting Satan. Whether the children were willful and malicious impostors or themselves in a measure deluded, nothing could possibly have been better fitted to confirm and aggravate their condition. After gratifying Mather with what he considered striking and conclusive proofs of possession, the children recovered. An account of the case was published by Mather, and the notoriety which it quickly attained helped to prepare the way for a worse outbreak.¹

Within three years the epidemic broke forth in earnest. Certain children at Salem professed themselves bewitched, and sin-
The
trials. gled out and denounced those who had bewitched
them. The writings of the two Mathers had prepared
the public both to be interested and to believe. Crowds flocked to see Satan at work, with probably very much the same mixture of motives and the same degrees of conviction as in the present day send people to a so-called spiritualist manifestation. There was indeed more than one feature of likeness. Paltry acts of divination, playing at sorcery, as one may call it, had done something to undermine common sense and weaken belief in a God who rules by fixed laws.² Those who had sick children went to Salem to consult the supposed mouthpieces of the spirits as to the possibility of possession. One such man brought upon himself a rebuke from Increase Mather. Was there not a God in Boston, that he must go to consult the devil at Salem?³ Vanity, delusion, and in some cases no doubt malignity, were soon in full play, and when Phipps landed about a hundred prisoners were waiting their trial on the charge of witchcraft. The Governor's first act was to appoint a special court, consisting of seven judges, with Stoughton, now Lieutenant-Governor, presiding over it as Chief Justice, to try the prisoners.⁴ There is no need to wade through the dull and gloomy tale of a tribunal defying all accepted principles of evidence. Yet there are details too illustrative to be wholly passed over. When the jury acquitted one Nurse, an old woman whose attempts to defend herself had been

¹ In a book published at Boston in 1689, and entitled *Late Memorable Providences relating to Witchcraft and Possessions*.

² Brattle, p. 72. "Girls foolishly made use of the stove and scissors."

³ *Id.* p. 71.

⁴ Phipps to Shrewsbury in *Col. Papers*, 1693, Feb.

hindered by deafness, the court refused to accept the verdict. The jury gave way and reconsidered the matter, and Nurse was sentenced and hanged.¹ In another instance a witness so manifestly perjured herself as to be admonished by the court to tell no more lies. Nevertheless her testimony was accepted afterwards in other cases.² By October twenty persons had been put to death.³ It soon became clear that the only security for an accused person lay in an admission of guilt. The result, as might have been foreseen, was an abundant crop of confessions.

It is scarcely worth arguing on what is probably now regarded as a truism, the utter worthlessness of these as evidence. We have already seen in the case of Knapp the means which were taken to work an insane person into a belief that she was an instrument of Satan. Over and above confessions such as hers, given under delusion, some no doubt were deliberately made on calculation to obtain pardon. Others were extracted by persistent intimidation working on prisoners in a state of mental and physical prostration. Some of these were retracted almost as soon as made. The retractions fortunately are preserved, and often contain accounts of the process by which the so-called confessions were manufactured.⁴

The direct tendency of the confessions was no doubt to save life. But this was more than outweighed by their pernicious effect on the public mind. To ordinary persons they would seem the final and conclusive proof. They would reconcile many who were wavering, they would familiarize the minds of men with the probability of guilt.

Widespread though the delusion might be, it was not universal. Fortunately too disbelief was not confined to those who would probably have been branded by public opinion as Sadducees. Bradstreet and Danforth, men of unimpeachable orthodoxy, condemned the proceedings.⁵ Increase Mather and Willard, firmly as they believed in the possibility of witchcraft and possession, saw that the present proceedings were full of danger and opposed to all principles of justice.⁶ But the honor of being the first to speak out fearlessly and to brave a mob, cruel with the

¹ Calef, p. 102.

² *Id.* p. 102.

³ *Id.* p. 110.

⁴ Several of these retractions are published in the *Massachusetts Collection* (2nd series, vol. iii. p. 221); cf. Brattle, p. 78; Calef, p. 111.

⁵ Brattle, p. 75.

⁶ *Id.*

cruelty of panic, does not belong to any of the leaders in the political or religious world of Boston. In October one Thomas Brattle, a young merchant, a graduate of Harvard, wrote what was in form a letter, but in substance and character rather a pamphlet, protesting against the proceedings of the court in the so-called witchcraft cases.¹ At a later day Brattle was conspicuous as the leader of a latitudinarian movement. He and those who then acted with him may be looked on as the first who, deviating from the established standard of congregational church government, yet succeeded in getting themselves recognized as an orthodox body. His protest against the witchcraft delusion makes no pretense at what would ordinarily be called effective advocacy. There is no rhetoric, no attempt to display controversial ingenuity. Yet it is in reality a piece of advocacy of a very high order of merit. Brattle thoroughly understood the people to whom he was writing. It is impossible to read his letter and not to feel that it does not display the full extent of Brattle's disbelief. A man could hardly have gone as far as he did, and have thoroughly understood the weakness of the evidence on which the charges rested, without going further and seeing that the whole theory of possession and compact was groundless. But Brattle, with the true instinct of an advocate, saw how much it was needful to prove, and saw too that he would only injure his case by endeavoring to prove more. He rests on the plain argument, obvious to common sense, that the accused were condemned on the evidence either of repentant witches or possessed persons; that the first class of witnesses were discredited by their antecedents; that the evidence of the possessed might be, as he puts it, the testimony of the devil. By the same argument too he disposes of the confessions. If the devil is able to represent false ideas to the imaginations of the confessors, what man of sense will regard the confessions? Moreover he carries the war into the enemy's camp, and with no small ingenuity and courage raises against those who were stimulating the delusion the very charge which they were bringing against others. He points out that the process by which the delusions of the possessed were woven into a connected statement was in itself a communing with evil spirits. Yet Brattle at the same time preserves a sober and cautious freedom from personalities, and strengthens his pos-

¹ It is published in the *Mass. Hist. Coll.* (1st series, vol. v.)

ition by an appeal to the authority of well-known men who had resisted the delusion.

Such a writer as Brattle does not mold public opinion. But he does what is scarcely less important, he directs and concentrates it. He takes the vague ideas and vague feelings which are floating about and makes them into a working creed. He gives men confidence in their own half-formed convictions, and converts hesitating distrust into strenuous disbelief.

There was one argument which it would have been unwise for Brattle to use, but which no doubt had its share in helping to bring about a reaction. Delusion had found an ally in malevolence. Men began to trade on the credulity of juries. A charge of witchcraft was a safe weapon with which to strike at a private enemy. Such a state of things was sure to bring its own cure. The New Englander might be incapable of weighing evidence, he might have a morbid and irrational dread of the supposed powers of darkness. But the wholesome public spirit and corporate morality of New England soon rebelled against a system in which no man's life was safe from a malignant neighbor. When the court sat in January 1693, of fifty prisoners who were brought up for trial all but three were acquitted. Those three were pardoned, and all who remained in prison were discharged by the Governor at his own discretion.¹

We may safely say that the delusion which caused all this bloodshed was made up of three elements. The testimony of those who professed to be bewitched was no doubt in some cases, especially at the outset, due to hysteria, caused or stimulated by an unwholesome mental atmosphere, and at times it may be passing into actual insanity. Partly no doubt it was due to credulity engendered of terror. People were taught to believe that they were living in the midst of invisible enemies and mysterious danger, and every trivial incident was twisted into a confirmation of their fears. Thirdly, we cannot doubt that there was invention, in some cases the self-deceiving invention of restlessness and vanity, in others that of deliberate malevolence. To analyze the whole movement into these elements and to trace their joint working is the province of the criminal lawyer and of the psychologist. For us the subject is of

¹ Hutchinson, vol. ii. p. 60.

interest so far as it illustrates the habits of thought and action which prevailed in the colony, and so far as it reacted on them and helped to determine them in the future.

In the first place it brings out to the full that incapacity for understanding the nature of proof and that confusion of thought as to criminal procedure which left such conspicuous *Spectral evidence.* traces in Massachusetts. Perhaps the best illustration of this that can be found is the discussion about so-called "spectral evidence." In certain cases the alleged victims of witchcraft declared that they had been tortured, not by the accused in bodily form, but by specters resembling them. This matter admitted of three views. Some altogether denied the existence of these so-called specters. Among those who admitted the possibility of them there was a further division. Some believed that a specter might assume the form of an innocent person, and in that form inflict injury. Others held that the appearance of the specter was in itself a symptom of guilt in the person whom the specter resembled.

To accept the spectral theory in the first of these two forms was harmless folly. The last view placed the life of every man at the mercy of his accusers. For if it were once admitted, then, in this particular class of charges, an alibi, however clearly proved, was no valid defense. One effect of this was to extend indefinitely the area over which the delusion spread. Once admit this theory, and any one might be guilty, however far from the scene of the crime. We hear somewhat vaguely that charges were brought against John Allen, the Secretary of Connecticut.¹ In all likelihood the so-called spectral evidence was the instrument of attack. Such a system by its atrocity was almost sure to bring its own cure, but in the meantime incalculable injustice and suffering might ensue.

The question whether the so-called spectral evidence should be admitted was keenly disputed. Stoughton was apparently the ruling spirit among the seven judges. He was at least consistent. The business of the tribunal was not to administer justice, but to extirpate witchcraft at any cost, and for that purpose spectral evidence might be a useful instrument.² Cotton Mather, with a characteristic mixture of humanity and confusion of thought,

¹ This is mentioned in a letter from Allen himself to Increase Mather, quoted by Hutchinson (vol. ii. p. 60).

² For Stoughton's attitude see Upham, vol. ii. pp. 56-8.

held that a compromise was possible. The judges were "not to lay more stress on spectral evidence than it would bear."¹ In other words, the court was to discriminate between the cases in which an alibi might be accepted as a defense and those in which it might not. Those who excluded spectral evidence were indeed less logical than those who admitted it. For if it must be excluded it must be on the ground that those who gave it were either deluded or untruthful, and either hypothesis should at once have been fatal to the whole movement. Cotton Mather's view of the question is further illustrated by his own suggestions as to the best method of dealing with the matter. He proposes that the afflicted should be kept asunder and exposed to prayer and fasting. They are "to privately tell their minds to some one person of discretion enough to make no ill use of their communications."² It is clearly his view that, by extreme care and the application of special methods to each case, a body of truth could be extracted. It does not seem to have occurred to him that the needful thing was to enforce certain general principles of procedure which should at least secure this, that no innocent person could possibly be convicted.

The misery and the widespread terror of the witchcraft panic was in a measure made up for by the thoroughness and the whole-
Reaction
against the
panic.
 some effect of the reaction. For happily the terror did not merely subside. The sober good sense of the community re-asserted itself in a manner which at once condemned the past and served as a guarantee for better things in future. When such a man as Sewall formally humbled himself on a public fast day by acknowledging "guilt contracted upon the opening of the late commission at Salem," and desiring "to take the blame and shame of it," the battle of reason was won.³ Not indeed that men formally acknowledged that witchcraft might not exist, or that the system of trial adopted was in itself unjust. A system is effectively discredited, not when it is disbelieved by the few who are capable of precise and definite thought, but when the general mass of men shrink from the practical application of it.

¹ This view is set forth in a letter to John Richards, who was a member of the court. The letter is in the Mather Papers (p. 391).

² This proposal is made in a letter from Cotton Mather to Calef, quoted by the latter (p. 11).

³ Sewall Papers, vol. I. p. 445.

The strongest proof perhaps of the completeness of the reaction was the publication of a book in 1700, directed against the Mathers and the part which they had taken in the witchcraft trials. This was entitled, manifestly with a contemptuous reference to Mather's own work, "*More Wonders of the Invisible World*." The author was a Boston merchant, Robert Calef.

In 1693 there seemed a fear that the colony might be invaded by a fresh witchcraft panic. A case of alleged possession had come under the notice of Cotton Mather. The supposed subject was a girl named Margaret Rule, living in Boston. It seems not unlikely, from the description of her symptoms and the treatment of them, that she was suffering from delirium tremens.¹ Calef was determined that the delusions of this wretched girl should not be suffered to set up a panic. To this end he wrote letters to Cotton Mather expostulating with him for his mode of dealing with the case. To question the infallibility of Cotton Mather and still to remain on good terms with him was impossible, and Calef was soon engaged in a controversy, conducted by him with sobriety and good judgment, by his opponent with confusion of thought and intemperance of language. Calef then in self-defense wrote letters, practically pamphlets, addressed to the leading ministers in the colony. Finally he published a book containing the whole correspondence, with an account of the previous witchcraft troubles, and with some comments of his own on the subject. It is easy to criticise Calef's book unfavorably. There is no skill in arrangement, no literary grace, no effectiveness of expression, save what comes from the downright statement of a clear conviction. In these respects Calef ranks distinctly below Brattle. Nor can he claim the same credit for the courage which prompted his writing nor for the effect which it produced. The tide had turned before Calef wrote, and it is unlikely that the witchcraft delusion would have again raised its head after the discredit which had been heaped upon those who abetted and fomented it. The book is important, not as determining public opinion, but as a symptom of it. An answer was published, vindicating the conduct of the Mathers from the charges brought by

¹ It is expressly stated that she took no solid food, but drank rum (Calef. p. 14).

Calef, and discrediting his learning and his literary method.¹ Increase Mather himself had still influence enough to have the book burned publicly in the quadrangle of Harvard.² The rage of the Mathers against the champion of rationalism showed that they knew how vital was the struggle, though they might not understand its hopelessness. For the real strength of Calef's position lay in the very points which Cotton Mather attacks. It was because the book was written, not by a scholar, but by a Boston merchant, because its reasoning was not that of a skilled controversialist but of a second-rate lawyer, that it was so valuable as an evidence of the change in thought. In the Puritanism of Hooker and Cotton there had been an undercurrent of rationalism, of revolt against authority, hidden and almost annihilated by the dogmatic side of the creed. Now that undercurrent had freed itself and worked its way to the surface. Mather saw rightly enough that the foundations were shattered on which the old supremacy of his order rested. Henceforth, if the clergy were to retain any share of their former influence, they must adapt themselves to new habits of thought.

One might have supposed that the witchcraft delusion, by discrediting the clergy and what one may call the theological view of life, would lighten men's regrets over the old order of things and incline them to accept more readily a new constitution wholly free from any theological or ecclesiastical influence. No doubt the overthrow of clerical influence did gradually and insensibly favor the reception of the new system of government. But for the present this was outweighed by personal considerations. The Mathers had put themselves forward as the advocates and defenders, in a measure as the authors, of the new constitution; Phipps had come into power as their ally. How far he was himself responsible for the innocent blood that was shed must be a matter of conjecture. But it is at least certain that he did not in any way rise superior to the delusion. In May 1692 he landed and established the special court for dealing with the witchcraft cases. For three months he remained at Boston without making any effort to control the action of the court or to in-

¹ The pamphlet was entitled *Some few remarks about a Scandalous Book against the Government and Ministry of New England*. It is quoted in the *Andrews Tracts* (vol. II).

² This is stated by John Elliot in his *American Biographical Dictionary*, under the head *Calef*.

fluence public opinion. In September he left Boston, and went to superintend the defense of the north-east frontier. There is nothing to show that up to that time he had looked with any distrust on the proceedings at Salem, or that his views were in any way different from those of Stoughton and Sewall. On his return he found the community cowering under a reign of terror. As with most of his countrymen, it was not the theory on which the witchcraft prosecution rested, but the practical atrocity of the result which repelled him and which led him to suspend the sitting of the court. The public was far more likely to be impressed by his alliance with the Mathers than by a tardy protest almost forced from him by public opinion.

The appointment of Phipps was no doubt mainly dictated by a wish to smooth over the establishment of a new administrative system and to give a conciliatory aspect to the exercise of authority by the Crown. To entrust delicate responsibilities to an ignorant sea-captain was in itself a perilous experiment. But the vital objections to the attempt were independent of Phipps's personal character. The arrangement of a double veto on legislation, vested firstly in the Governor and then in the Crown, was necessarily a cumbrous one. It was clear that it could only work smoothly if the second veto, that exercised by the Crown, was reserved as an exceptional power. There could be no real sense of responsibility, of security, or of freedom, for a legislature whose acts were liable to be constantly overridden by an authority with which it had no direct contact. A government administered by repeated references to rulers on the other side of the Atlantic was no better than a provisional government. This could only be met either by allowing the colonial legislature to be what it had been before the administration of Andros, an independent body for all the ordinary purposes of government, or else by vesting the authority of the Crown in a Governor who really represented the wishes and policy of the sovereign. This in all likelihood was the scheme contemplated by those who drafted the constitution, and in a measure frustrated by the appointment of Phipps. As a natural result the very measure which was intended to reconcile the colonists to the change of system practically brought out its harsher features. Under the new charter the right of veto might be enforced at any time within three years of

the passing of an Act. Making all allowances for delay, it is difficult to see why the sovereign should ever have needed that time to decide on the fate of a colonial bill. It is at least clear that the right should only have been used in exceptional cases. If the new system was to work smoothly, the veto must be applied both sparingly and swiftly.

The English government adopted the very opposite policy. The colonists were made to feel at the outset that the control of the Crown was to be a reality. Not only was the legislative independence of the colony fettered, but the interference, necessary though it might be, was of a peculiarly galling nature. The Assembly, perhaps not altogether wisely, determined at once to define the constitutional position of the colony more exactly than was done by the charter. In the summer of 1692 it passed a general Act ordering that all the local laws passed by the late governments of Massachusetts and Plymouth should be in force, unless they were repugnant to the laws of England.¹ This was practically a declaration of hostility to the change of constitution. Later in the same year the legislature passed what virtually aimed at being a Bill of Rights. Not content with the security given them by the charter, they enacted that no tax or assessment of any kind or under any name should be imposed on the colonists except by the Assembly. There can be little doubt that if Phipps had been more of a statesman he would have seen that in justice to the colonists these claims should be either at once granted or disallowed, and would either have used his own veto or else given the measure his best support. As it was the Acts were suffered to remain in force, or one should rather perhaps say on record, for nearly three years, and were then disallowed by the King.²

The same measure was dealt out to another enactment of something the same kind. In 1694 the Assembly resolved that if any motion for a money grant was made, the intended appropriation of the money should at the same time be declared, and that no salary should be granted and no public money expended except by a vote of the Assembly.³

Though this was also disallowed, yet in this matter the Assembly succeeded for the present in securing the main point at issue.

¹ Acts and Resolves, vol. i. p. 27.

² *Id.*, vol. i. p. 40.

³ *Id.* p. 170.

They did not fix a salary for Phipps, in spite of his declared wish to that effect, but voted him a grant from year to year.¹

It was not merely as the representative of an unpopular system that Phipps forfeited the good-will of his countrymen. Other Troubles with the Indians. events beside the witchcraft trials threw a shadow over his administration. The hopes which had been raised by the conquest of Nova Scotia were never fulfilled. The truce of 1690 was avowedly preliminary to a surrender of prisoners and a further agreement six months later. When the day came no representatives of the Indians appeared. It was clear that the truce had been merely designed to insure a breathing space through the winter. This breach of agreement was soon followed by a number of petty raids. A force sent from Boston by sea landed in Casco Bay and penetrated inland. As usual they failed to discover the enemy, but were assailed on the very moment of re-embarking.² In the following January the settlers at York, who had left their town unguarded, trusting probably to the season, were attacked. The greater part of the town was destroyed. Luckily there were four fortified houses, which enabled a certain number of the settlers to hold out and beat off the enemy. At Wells a garrison house of the same kind enabled the defenders to repulse an Indian force under the command of a French captain, La Broquerie, who fell in the attack.³

In 1693 a second attack on Quebec was planned, to be undertaken by a land force from New England in conjunction with the Proposed attack on Quebec. fleet under Admiral Wheeler. He unhappily undertook a preliminary cruise in the West Indies; yellow fever found its way among the crews, and the ships which should have been attacking Quebec lay idle in Boston harbor.⁴

Even such success as Phipps did achieve earned him but little popularity. He established two forts, one at Pemaquid, the other Fortification of the frontier. near the mouth of the Saco.⁵ In the summer of 1693 the Indians, overawed by these preparations, came to Pemaquid and made submission. Yet the colonists, hostile to the policy of frontier garrisons, partly it may be because it had

¹ Acts and Resolves, vol. i. pp. 109, 174, 188.

² Hutchinson, vol. ii. p. 71; *Decennium*, p. 75.

³ Mather in the *Decennium* gives very detailed accounts of the attacks on York and Wells (*Decennium*, p. 78).

⁴ Hutchinson, vol. ii. p. 71.

⁵ *Ib.* p. 68-73. According to Mather, the fort at Pemaquid was constructed on a plan given to Phipps by the English government.

been the policy of Andros, regarded the erection of the forts as a grievance.¹

On this point there cannot be a doubt that Phipps was right and his assailants wrong. How little could be hoped from policy such as the colonists believed in had been fully shown by Church's failure in 1689, and by like attempts since. The operations which had availed against Philip were useless now. There the enemy had been hemmed in within definite limits; here he had a whole wilderness at his back. To Phipps belongs the credit more than to any public man of that time of having clearly seen that a mere defensive policy against France and against the Indian allies of France was useless; that if New England was to be defended she must be defended, not on the Kennebec, but on the St. Lawrence. Till that policy could be carried out the best plan was to threaten the enemy and hold him in check by a line of outposts.

Apart from any hostility to Phipps's policy, there were personal grounds on which the colonists might reasonably find fault with him. He was wholly without self-control or sense of personal dignity. The man who was supposed to figure before the colonists as the representative of royal authority, before the officials of government as embodying the dignified traditions of New England statesmanship, brawled in the streets and dealt with his opponents as he would have dealt with refractory seamen on his own deck. The relations between the colonial authorities and the revenue officials who were directly under the Crown specially needed caution and tact. Phipps interfered, as it would seem, in a summary fashion with Brenton, the Collector of Customs, in the discharge of his duty, and when Brenton remonstrated cudgelled him in the streets. He dealt in a like manner, though under worse provocation, with one Short, a drunken and refractory sea-captain. He quarreled with Fletcher the Governor of New York, and wrote to him in language which between men of like station in Europe would inevitably have brought about a duel.² We can hardly wonder that his removal was suggested to the home government, and that

¹ Mather as above.

² These two disputes are very fully set forth in various documents, representing both sides of the question, in the *Colonial Papers*.

³ See, for instance, the letter of Jan. 27, 1693, in which Phipps says to Fletcher, "If, as you say, I have forgot manners to gentlemen, I have forgot what you never had" (*New York Documents*, vol. iv. p. 6).

when a motion petitioning against it was brought before the House of Representatives it was only carried by a narrow majority.¹

This division led incidentally to a constitutional change of no small importance. Many of the outlying towns were represented by men connected with them by birth or as landholders, but living in Boston. Phipps was popular in the country districts; the men of Boston, as a contemporary expressed it, lived too near him to think well of him. As the man of the people, Phipps was far more likely to command the sympathy of a yeoman from Hadley or a trader from Marblehead than of an educated Boston merchant. The supporters of the Governor, considering these things and fearing another attack, carried a bill which enacted that the representative of every town must be a resident in that town. On the one hand the change must have lowered the capacity and dignity of the House of Representatives. It more than made amends by saving the colony from being overshadowed by its capital, and by giving the House of Representatives a more distinct character of its own. A House of Representatives mainly taken from Boston might be a mere repetition of the Council; such a House mainly taken from the country districts might be an effective check upon it.

Phipps had influential enemies in England ready to make the most of his errors and his unpopularity. If in the eyes of men like Danforth and Cooke his presence symbolized the overthrow of their old liberties, in the eyes of Andros and Randolph and all whom they could influence he was the triumphant representative of a revolutionary faction. Dudley was now playing on a small scale the part of a colonial Sunderland, and by a policy of patience, conciliation, and intrigue building up again that position which the revolution seemed to have shattered beyond hope. The child of the sternest among the Founders, the nursling of a Puritan household, whom birth and training seemed to have marked out as the ally of Danforth, was now a placeman in England, high in the good graces of those

¹ Hutchinson, vol. ii. p. 79. He says that it was carried by twenty-six to twenty-four. This may very likely have been the case. But he also quotes a contemporary letter, in which another division just afterwards is described, and in which the numbers were also twenty-six to twenty.

² Acts, etc., vol. i. p. 147. The circumstances of the measure and the division are told in the letter just mentioned.

very men who carried on the corrupt traditions of the fallen tyranny. He had, we are told, enlisted as his patrons Leeds, Blathwayt, and Henry Sidney, and through them had secured the good-will of Portland.¹ A memorial is extant, dating from this time, in which Dudley sets forth the general principles on which New England should be administered. There must be one uniform system of legislation and of government for New England and New York, and the Crown must have the power to demand a fixed quota of men and of money. Persons are to be employed in the government "that do indeed love the Crown of England and the strict dependence of the plantations thereupon." Otherwise "that which some have been bold enough to hope may come to pass, that they may set up for themselves." At the same time Dudley kept enough of the opinions and habits of his early days to secure the favor of English Nonconformists. He obtained the post of Lieutenant-Governor of Portsmouth.² His position there brought him many visitors from New England. In spite of the past he was not ashamed to put on the language of an exiled patriot. His dearest wish was to lay his bones in the land of his birth.³ He played his part artfully enough to win the favor of the Mathers, who by their antecedents should have been his bitterest enemies, and thus to represent himself as one whose appointment to office would win the hearts of the colonists.

The reckless fashion in which Phipps had dealt with Brenton and Short gave his enemies a handle. As might have been expected, he was summoned to England to answer for his conduct. Brenton and Dudley then, as it would seem, sued him for twenty thousand pounds, and he was only saved from arrest by Ashurst, who found security.⁴ The proceedings were cut short by the death of Phipps in February 1695. He was but forty-four.⁵

One cannot wonder that so rapid a rise and such stirring events hurried together in that short career should have begotten some lack of sobriety and patience, of those arts and habits which are only learnt in the slow ascent of public life. One should rather

¹ Letter from Ashurst to Mather, May 5, 1695. Quoted by Hutchinson, vol. ii. p. 85.

² Hutchinson, vol. ii. p. 86.

³ *Id.* p. 121.

⁴ This is stated by Hutchinson. He does not give his authority nor explain the precise nature of the business.

⁵ Phipps was buried at St. Mary Woolnoth, in Lombard Street. I am informed by the incumbent, the Rev. J. I. Brooke, that a mural tablet to Phipps formerly existed. It was probably removed or destroyed in 1715.

wonder at finding no trace of the meaner qualities of self-made men, of ostentation, of any wish to turn his back on the memories of the past.¹

The death of Phipps seems to define and complete that change which was formally declared by the new constitution. Henceforth New England was to have no ruler of the old colonial type. Her Governors, and for the most part her officials, were to be either men trained in England or those who by intercourse with such men had learnt their traditions and habits of thought.

Two years passed before Massachusetts had another Governor even in name, and four before one set foot on her soil. During The inter- that time the colony remained under the deputyship of regnum. Stoughton. The years can hardly be called uneventful, since each brought its round of calamities and alarm. But none of these could be said to have an abiding influence on the relations between the settlers and the enemies on their frontier. In domestic legislation the time was practically a blank. The manner in which the Privy Council dealt with the Acts sent home by the colonial legislature was a warning that it was useless to attempt anything except in concert with a Governor who really represented the English Crown.

By his success in Acadia Phipps had bequeathed to the colonists a responsibility which they showed no anxiety, perhaps Dealing with Acadia. had not the power, adequately to discharge. During the years between the capture of Port Royal and the Peace of Ryswick the Acadians began to learn what it was to be between two hostile powers, each strong enough to make occasional assertions of authority and to demand allegiance, neither strong enough to give any efficient protection. The conquest by Phipps was not followed by any determined attempt to secure the country. The conditions under which Port Royal surrendered had been violated; the private property of the Governor had been seized in defiance of agreement, and houses had been pillaged.² Yet the government of New England appear to have thought that a mere formal submission would at once turn the Acadians into loyal English subjects.

¹ Cotton Mather dwells emphatically and repeatedly on this point, and gives many instances of Phipps's simplicity of manner and temper.

² A memorial from the French commander, De Meneull, to this effect is in the *Mass. Hist. Coll.* (3rd series, vol. 1).

In the year after the capture John Nelson was commissioned to act as commander-in-chief in Acadia. He was a nephew of Thomas Temple, and an energetic and capable member of what one may call the new school of Massachusetts politicians. But nothing was done to support him or secure his position. Meanwhile a French force had been sent to relieve the place. The commander, Villebon, occupied Port Royal and hoisted the French flag there, established a fortified post at St. John's, and intercepted and made a prisoner of Nelson before he could reach the seat of government.¹ Two trivial and ineffectual attempts were made to oust Villebon or harass him by intercepting his supplies.² In 1695 the Court of Massachusetts sought to free itself from any further responsibility by petitioning the King to place garrisons in Port Royal and St. John's.³

Whatever permanent advantage Phipps had acquired against the French was lost in the interregnum which followed his death.

Further Indian attacks. In 1694 a force of Indians made their way, slaughtering and spoiling as they went, to Groton, not forty miles from Boston, and with a not unnatural exaggeration returned and boasted to the French that they had threatened the gates of the English capital.⁴

Soon after a party headed by one Bomazeen, a noted ally of the French, appeared before Pemaquid with a flag of truce. He had been a party to the former treaty at Pemaquid, and **Capture of Bomazeen.** there was no doubt that he had since violated the terms then made. He now professed to come petitioning for forgiveness. The commander of the fort held that Bomazeen and his followers had by their treachery forfeited all rights to be treated as civilized enemies, and it was even suspected that their present overture was only intended to prepare the way for an attack on the fort. Accordingly the Indians were seized and sent prisoners to Boston. How far men who have been guilty of a breach of faith can afterwards claim the protection of a flag of truce may be questioned. But whatever may have been the mo-

¹ This is described in a French official report (New York Documents, vol. ix. p. 527).

² Hutchinson, vol. ii. p. 91. French official report in New York Documents, vol. iv. p. 664.

³ Hutchinson, vol. ii. p. 91. I have not met with this petition among the State Papers.

⁴ Charlevoix, vol. ii. p. 145; *Decennium*, p. 86; Hutchinson, vol. ii. p. 82.

⁵ There is a very full account of this in a letter from Pike, who was one of the English present. It is given in full by Hutchinson (vol. ii. p. 83). Charlevoix gives a very highly colored account of it.

rality of the measure, there can hardly be a doubt that the English were ill-advised in giving the French such a handle. In every village where the Indians were wavering or lukewarm they would be taught that they had to deal with a foe in whom it was useless to look for faith or mercy.

The fruit of this was soon seen in the failure of a negotiation for the exchange of prisoners. The Indians and the English met at Pemaquid. Each side seemingly was in earnest in asking for an exchange. But each feared that by being the first to give up its prisoners it would lose all guarantee for the execution of the treaty, and the negotiation fell through.¹

The bad impression which had been thus created was confirmed by an act of treachery too flagrant to find any apologists. In February 1696 the negotiation for exchange had been renewed. The command at Pemaquid had lately changed hands. It was now held by one Chubb, a man, as it would seem, equally void of courage, honesty, and common sense. In the middle of the conference he and his garrison fell upon the Indians and killed four, two of them men of importance.² We are told that Chubb's treachery was condemned by the best men in the colony as "a horrid piece of villainy,"³ but unfortunately their indignation did not take effect in any attempt to punish or even supersede the offender.

The crime however quickly brought its own retribution. In June Frontenac dispatched two men-of-war, with two companies of French and a force of fifty Indians, against Pemaquid.⁴ The expedition began by achieving an incidental, and in some measure an undesigned, success. Two English ships, the *Sorlings* and the *Newport*, were lying off the coast of Acadia, intending to intercept the supplies of the French troops there. The French ships made to attack them. The *Sorlings* escaped in a fog; the *Newport* was taken, and served to strengthen the force sent against Pemaquid. At the mouth of the Penobscot

¹ *Decennium*, p. 88.

² Mather tells of the incident in an evasive and half apologetic fashion. A letter from the chief of the Abenakis to Stoughton is published in the *New York Documents* (vol. ix. p. 614). There is also an account of the matter in a French official report in the same volume (p. 643).

³ Hutchinson, vol. i. p. 94.

⁴ Hutchinson gives a very full account of this (vol. ii. pp. 91-4). His statement is quite borne out by the French authorities brought together by Mr. Parkman.

they were reinforced by two hundred more Indians under the command of Castine. The fort had fifteen cannon and a garrison of ninety men, and was well supplied with food and ammunition. Herville, the French commander, upon his arrival summoned Chubb to surrender. Chubb sent back a vaporing answer, declaring that though the sea and land were both covered with enemies he would not yield. Herville thereupon opened a fire of musketry, landed his artillery, and threw five bombs into the fort. There is no account of the real strength from which we can judge of the possibility of effective resistance. But the surrender seems to have been brought about, not by the alarm of the French cannonade, but by a message sent by Castine warning Chubb that Herville had orders to grant no quarter. Doubtless too Chubb knew that to make terms was his only chance of being protected against the revenge of the Indians. Chubb surrendered on condition that he and his men were sent to Boston with a guard to protect them from the savages, and that they should be exchanged for French or Indian prisoners. The French then dismantled the fort. The conditions of surrender seem to have been loyally carried out, though Herville could not wholly restrain the pardonable rage of his allies. That he should have undertaken to do so at all is the best proof of the value which the French attached to the possession of Pemaquid.

The policy of Andros and Phipps had met with no favor at Boston, but the conduct of men there now was the best evidence of its soundness. The downfall of Pemaquid at once **Church's attack on Acadia.¹** aroused the colonists to the need for vigorous measures. A force of five hundred men was sent out under Church, and a fleet of four ships. If the French had any design beyond Pemaquid these prompt measures put a stop to them. The English ships failed either to intercept or overtake the enemy, but their appearance forced the French commander to sail northward. The troops under Church met with the usual fate of expeditions — to the north-west, and wholly failed to bring their enemy to an encounter. Church, having done nothing on the mainland, embarked his men in boats and crossed over to Acadia. Having landed, he offered to spare the goods of the settlers if they would assist him against the Indians. The wretched French refused,

¹ Church, pp. 215-42; Hutchinson, vol. II. pp. 95-9; Mather, *Decennium*, p. 90.

knowing that, if they consented, the departure of Church would be the signal for a massacre. Church, exasperated by this, and by the discovery of a proclamation from Frontenac posted in one of the churches, dealt with the settlers as rebels, burning and harrying all before him. On his return he fell in with Hathorne, who had been sent from Boston with reinforcements, and with a commission superseding Church. The new commander made an ineffectual attack on St. John's, and returned to Boston, baffled, it was said, by the cold weather and want of clothing for his troops.

Next year an alarm reached Boston that the French were planning, not, as before, a mere plundering raid, but a deliberate invasion with a view to permanent conquest.¹ Later disclosures showed that the alarm was well founded, and that in the counsels of the French king New England was doomed to share the fate of the Palatinate.² The Marquis of Nesmond, an able and experienced commander, was to sail from Brest with ten men-of-war. At Penobscot he was to be reinforced by taking on board a force of fifteen hundred men, to be sent overland from Canada. He was then to seize Boston, and to ravage the coast northward to Piscataqua. If the season were not too far advanced, he was then to attack New York. Thence his troops were to march back to Canada, laying waste the country before them.

Luckily for New England, the French commander was delayed, first by contrary winds, and then by conflicting orders bidding him intercept an English fleet which was on its way to Newfoundland. Owing to these delays, by the time that he was ready to sail for Boston the year was too far advanced for such an attempt. Boston was put in a state of defense, but in reality the effect of the scheme was to keep Frontenac waiting in idleness through the summer, and thus to save the frontier from raids.³

In the winter of 1697 the news of the Peace of Ryswick reached America. Though all danger of a French invasion was over, the troubles on the frontier did not end at once. Through the following summer the border settlements were again harried by Indian raids, in one of which Chubb met with the

¹ Hutchinson, vol. ii. p. 104.

² Mr. Parkman gives full particulars of this intended attack (*Frontenac*, p. 383).

³ Hutchinson (vol. ii. p. 104) notices this.

death which he so well deserved.¹ But the colonists had little to fear from the savages, no longer supported nor rewarded by their civilized allies. In January 1699 a separate treaty was made with the Indians. Frontenac had warned them that his support must now be withdrawn, and that they had better recover the good-will of the English by restoration of captives and promises of good behavior. The advice was taken; the chiefs met the English representatives at Casco, acknowledged their past breaches of faith, and made declarations of future submission. Some of the captives were given up, and others, who were unable to travel through the wilderness in winter, were to be restored later. Some however remained, incorporated, it was thought, by adoption into the tribes of their captors.²

¹ Hutchinson, vol. II. p. 106.

² *Id.* p. 112.

CHAPTER VII.

LORD BELLOMONT AND THE PIRATES.¹

EIGHT years after the Revolution that system of colonial administration which had existed from 1660 to 1675 was reintroduced.

The Lords Commissioners for Trade and Plantations. On the fifteenth of May 1696 the King appointed a special board to promote trade and to inspect and improve the plantations. It was to consist of the chief officers of state and eight nominated members. Five members were to form a quorum.

The new monarchy would no doubt deal more tenderly than its predecessor with the constitutional rights of the colonists. But there was quite as much to be feared from the commercial jealousy of the trading classes as from the administrative jealousy of the Crown, and the former danger, so far from being lessened, was rather confirmed by the Revolution. During the governorship of Phipps the colonists had found it needful to petition against a scheme which would practically have vested the whole trade of New England in a company of monopolists.² The scheme was one of those with which the air was full, a symptom of that speculative epidemic of which the Darien Company and the Land Bank are the most memorable instances. The promoter of the scheme was Sir Matthew Dudley, of whom we know little save that afterwards he was for a short time a Commissioner of Customs. The project fell under

¹ The State Papers bearing on this period are very ample and valuable. Bellomont's own dispatches are very full, and fortunately most of them are published among the New York Historical Documents. Hutchinson now acquires something of the value of a contemporary authority. He was born in 1711, so that he must have actually known men who took an active part in public life under Bellomont and Dudley.

² The proposals of this company are among the *Colonial Papers* for 1695, Board of Trade, N. E. No. 8.

two heads, in one of which there was nothing extravagant or unpractical, though there might be much that would be mischievous. The Company was to have a monopoly of mining in New England and also of the export and import trade. The past experience of mining schemes in New England had not been such as to hold out much hope of profit. The other half of the project was that the company should supply government with ship-timber and naval stores, and that in return they should be allowed to import commodities to New England duty free. The advocates of the scheme urged that the Crown would be able to obtain its stores more cheaply and with more certainty from a company than from a private trader. At the same time they tried to enlist on their side the prejudices of the English merchant by representing that the colonists were learning to manufacture for themselves and to do without English goods.

These arguments were not likely to carry much weight. The economical views of men in that day might be confused, but it was not hard to see that the English producer would not gain much by the colonial market if his profits were to be sheared away for the benefit of a monopolist. That view was clearly set forth in a memorial with which the Boston merchants at once met Dudley's proposals.¹ They also pointed out that the monopolists would be able to make their own terms with the colonists, and that this would in all likelihood force the colonists to manufacture in self-defense, and so destroy the export trade from England to the plantation.

Nor was that part of Dudley's scheme which concerned the Crown likely to be attractive. It might be well that the Crown should have a monopoly of the ship-timber of New England, but, if so, it was far better to establish that monopoly directly for the own benefit of the English government, and not for the profit of a middleman.

Fortunately the attention of the English government had been already directed to the value of New England as a nursery for ship-timber. Phipps, a native of New Hampshire and by trade a ship-carpenter, was qualified to speak on this point with authority, and was sure of a hearing. Early in his career as Governor he had called the attention of the Privy Council to the

¹ *Col. Papers*, 1695, May 22.

waste of shipping materials in New England,¹ and during his last unhappy visit to England he was busy with schemes of the same kind.² We can scarcely doubt too that it was by his advice that a clause was inserted in the charter reserving for the Crown all trees growing on common land and fit for masts.

There was little chance of Sir Matthew Dudley's petition for a monopoly gaining a favorable hearing. But it was through no tenderness for the commercial interests of the colonists that it was withheld. How the ordinary English trader regarded the colonies was clearly shown by the writings of Sir Josiah Childe. He pointed out that the New England settlers, from their mode of life and from the absence of slavery, might some day learn to manufacture for themselves, and cease to be customers of the English merchant.³ To avert that was a policy in which Parliament and the Board of Trade were united. The existing restrictions of colonial trade were enforced by a fresh Act strengthening the hands of the executive.⁴ Any danger that the English wool-grower or clothier might find a rival in the colonies was stopped by an Act which forbade the exportation of wool, or of goods containing wool, from any plantation, and which thus limited the settlers to growing and manufacturing for use within the plantation itself.⁵

That these restraints on commerce were evaded, and that foreign vessels, not unfrequently Scotch, traded with the colonies in defiance of the Navigation Acts, is stated over and over again in official documents and nowhere explicitly denied on behalf of the colonists. There is little need at this day to urge that the colonial system then adopted was a narrow or selfish one, incapable of bringing lasting benefit even to the mother country. Unluckily the violation of an unjust law does not simply leave things as though the law had not been. The smuggling trade filled the coast of British America with a more or less lawless population. Moreover the late war had been largely carried on by privateers, and the line of demarcation between the privateer and the pirate was easily overstepped. Even a privateer who confined himself to legitimate business would not be over-scrupulous in making up his crew. Thus when a pirate

¹ Letter from Phipps in Col. Entry Book, Board of Trade, New England, No. 5.

² *Magnalia*, bk. ii. p. 71.

⁴ 7 & 8 Will. III. c. 22.

³ *Discourse on Trade*, 1694, pp. 322-5.

⁵ 10 & 11 Will. III. c. 10.

was closely pursued his men could disperse with the certainty of finding protection and employment.¹ Under this system the English merchant found his monopoly infringed and his ships plundered. Rhode Island especially incurred the displeasure of the English government from the supposed connivance of her citizens at these practices. Green, the Deputy-Governor, was charged with issuing privateering commissions to known pirates.² The criminals had accomplices on shore, men of good position, who received and stored their treasures, and who if necessary were ready to find bail for them, even for as much as three thousand pounds.³

Here then were a series of administrative difficulties which called for the appointment of a Governor aloof from and above the ordinary life of the colonies. We may be sure too Importance of defensive union. that William saw that the Peace of Ryswick could bring no enduring settlement of the difficulty with Canada. The retention of the charters of Connecticut and Rhode Island made a complete consolidation of the northern colonies under a single Governor impossible. But it would be something gained if New York and Massachusetts could be united. Moreover, though New Hampshire was a proprietary colony, yet the appointment of a Governor was vested in the Crown, a right which had been exercised both in the cases of Cranfield and of Allen.

In June 1697 the governorship of the three colonies was conferred on Richard Coote, Earl of Bellomont.⁴ His character has Appointment of Lord Bellomont. gained not a little by contrast with his two predecessors. He was not, like Andros, the creature of a detested government, the instrument of an impossible policy. His administration was not, like that of Phipps, stained by invasion, by defeat, and by domestic calamity. His Protestantism was definite and zealous enough to win favor with the old school of Puritans; he was statesman and courtier enough to impress and overawe men of the stamp of Dudley. Neither in character

¹ This is strikingly illustrated by a passage in Sewall's Diary, where he describes the capture of a pirate named Quelch and his crew, some of whom tried to escape on board the vessel commanded by one Captain Larramore. He was with some difficulty induced to surrender them (Sewall, vol. ii. pp. 103-6).

² Lord Bellomont's report mentioned below.

³ This is stated in a letter from Sanford to Bellomont, Nov. 8, 1699, published in R. I. Records (vol. iii. p. 395).

⁴ His commission is in the *Colonial Papers*, Board of Trade, N. E. (vol. 36, p. 252).

nor in intellect was there much in him of real greatness. His dispatches are those of a zealous and resolute administrator, but they show no special insight into the problems of colonial policy. He was assuredly not a calculating dissembler: his outspoken impulsiveness made that impossible. Yet there was some touch of insincerity in the man who was winning the hearts of the Bostonians by a frank compliance with their tastes and usages, and yet writing home that every public servant, even to the meanest officer, should be an Englishman born.¹ He was not corrupt, yet the calamity which clouded his career could hardly have befallen a public servant raised above all personal eagerness for gain. It was both his own good fortune and that of Massachusetts that his better qualities, in all of which we can trace something of the Irishman, his tact, his sympathetic good-humor, his high courage and capacity for plain speech, were specially those needed in the man who had to bridge over the gulf between the old political system and the new.

It was probably in favor of Bellomont's influence that he showed no haste to visit Massachusetts. He did not reach America till a year after his appointment, and for another year he tarried at New York. That the Court of Massachusetts should have addressed a petition to the Governor asking him to come speedily is as strong an illustration as could well be found of the change which had come over the colony. Two years before a Governor appointed by the King, above all an Anglican, would have been an enemy to be kept at bay at all hazards.

The speech with which Bellomont met the Assembly further illustrates and explains this. It was the speech of a Whig and

Protestant partisan, appealing to the sympathies of the Assembly by denunciations of the late dynasty. He pressed strongly the need of a law to exclude Jesuits, and thereby to check the influence of French missionaries on the frontier. He regretted the slight encouragement which had been hitherto given to Huguenot settlers within the English borders. A year later the same spirit was shown even more forcibly when the Governor denounced the policy of Charles the Second in his dealings with Canada and Nova Scotia as "execrable treachery in-

Bello-
mont's
opening
speech.

¹ *Col. Papers*, 1699, Sept. 8, and 1700, April 27.

² Mr. Palfrey quotes this from the Massachusetts Archives (Palfrey, vol. iv. p. 173).

tended to serve the ends of Popery."¹ Suggestions as to the expediency of maintaining an Anglican clergy would seem harmless when combined with such thoroughgoing Protestantism. As it was in England so was it in America. Internal changes in modes of thought, external changes in political relations, had brought Nonconformity and Anglicanism each to a point where alliance was possible.

Yet the constitutional differences between the colony and the home government went too deep to be disposed of by a popular and adroit diplomatist. On two points the representation of the colony were resolved. They would secure an explicit admission that their judicature could be appealed against only in certain specified cases. They would not vote a permanent salary to any government official.

On these two points the positions of the opposite parties were reversed. On the question of appeals the Crown had only to maintain a defensive attitude. This it did by persistently refusing to sanction Acts of the Assembly which constituted courts of law and defined their powers, because each Act contained a clause expressly limiting the right of appeal.² At length the Assembly gave way. As a point of strategy one would certainly imagine that the colonists would have done better not to make the attempt, but to rest content with the charter, assuming that the same clause which granted the right of appeal also limited it.

In dealing with the question of salary the Assembly showed very plainly that no personal good-will to Bellomont would lead them into establishing a dangerous precedent. They were determined that Bellomont should be, in his own words, "their pensioner just as long as they pleased." Each year he received a grant of a thousand pounds. This was liberal in comparison with the sums voted to previous and subsequent Governors. Bellomont however had a very adequate sense of the difference between himself and the "mean mechanical Governor" whom he succeeded.³ Thus the amount of the grant seemed in itself hardly satisfactory, and did nothing to make Bellomont overlook the question of principle. If his life had been pro-

¹ The first of Bellomont's speeches is given by Hutchinson (vol. ii. p. 134). The second is among the *Colonial Papers* printed. It is dated May 29, 1700, and is in Am. and W. Indies, No. 561.

² Acts, etc., vol. i. pp. 72, 283, 372.

³ Letter from Bellomont, *Colonial Papers*, 1700, April 29.

longed there is every likelihood that the battle would have been at once fought out, under a Governor better fitted to fight it with success than any of those who came after him.

It was no wonder that Bellomont should write bitterly of the intrigue which handed over New Hampshire to Allen.¹ There it is clear the Governor found himself in a hotbed of petty and sordid squabbles. The circumstances under which Allen had gained his proprietorship made it certain that he would deal with the territory in the same spirit as Mason and Cranfield. That in itself could not but be fatal to the influence of Allen himself and of all who acted for him in the colony. The settlers of New Hampshire had been taught by experience to regard a Proprietor as a greedy plunderer. Some of them had indeed taken advantage of the interregnum at the Revolution to seize the documents on which the proprietary claims rested. The ringleader, one Pickering, was afterwards imprisoned and compelled to restore the documents, but at a later day it was discovered that they had been so mutilated as to prejudice Allen's claim.² Moreover the settlers were exasperated, and with justice, at their severance from Massachusetts. They may have had no special sympathy with that colony. But no position could be more wretched than that of a little isolated and independent settlement, in the middle of a line of frontier constantly threatened by savages. The very nature of the attack made matters worse. If the danger had been that of invasion and permanent occupation then the interests of Massachusetts and New Hampshire would have been identical, and the weaker colony would have been sure of help. But the war which France was waging was not, as yet at least, a war of conquest. It was a war of partial and local destruction. The more efficient was the defense along the frontier of Massachusetts, the more certain was it that the tide of invasion would hurl itself against the one undefended district. We may well believe that the petition for a system of joint defense under a general Governor came from those inhabitants of New Hampshire who were from past association hostile to Massachusetts, and yet felt the helplessness of their own colony, isolated under a Proprietor.

¹ See above, p. 293.

² Belknap, p. 130. Prov. Papers, vol. II. pp. 74, 87; vol. III. p. 298.

To make money either by official salaries or by quit-rents out of a colony thus placed was not a hopeful undertaking. Poor as Allen's prospects of success were, he made them worse by his choice of a Deputy. He appointed, or one should rather say he secured the appointment, as Lieutenant-Governor, of his son-in-law, John Usher. Usher was a bookseller at Boston, and a man of good means.¹ His wealth did not make him indifferent to official gains. The Assembly of the colony was indignant, and justly indignant, at his demands for a salary at the very time when they were brought to the verge of beggary by the need for defending the frontier.² But Usher's zeal on behalf of his principal was not quickened by actual want. Moreover, though not indifferent to gain, Usher seems to have scrupulously confined himself to demands made in a constitutional fashion, and to have had a real sense of the straits in which the colony was placed.³ Under such a Governor there was no chance of a repetition of the corrupt machinery by which Cranfield had levied toll on the settlers.

But Usher's failure to fulfill Allen's hopes did not make him acceptable to the colonists. Substantially he seems to have been honest and fairly sensible. But he had none of the graces which make an official popular, nor the real powers which make men tolerate faults of manner. He was vain and pompous, wholly wanting in suavity, tact, and dignity. He was not connected with the colony by birth or residence. The spectacle of a Boston tradesman coming over at intervals and playing at sovereignty was not likely to reconcile the settlers to a system which they had more substantial grounds for disliking.

It was not long before Usher found himself opposed by the settlers and deserted by Allen. From the latter he could get no support, beyond some bills which were dishonored. With the former he fared even worse. Past experience had at least given the New Hampshire settlers a certain aptitude for independent and collective action. In 1695 Usher provoked a conflict by removing three councilors.⁴ One of them was Vaughan,

¹ Usher's commission does not seem to be extant. For his position, see *Dunton's Letters from New England*, published for the Prince Society, pp. 68-78.

² Belknap, pp. 149-151; Prov. Papers, vol. II. p. 137.

³ See his speech to the Assembly (Prov. Papers, vol. III. p. 49).

⁴ Belknap, p. 132. This is referred to in the Prov. Papers (vol. II. p. 267).

who had taken the chief part in the conflict with Mason and Cranfield. Another was Waldron, who seems to have been himself a man of capacity, and was strengthened by the position and reputation of his father. The ejected councilors at once took steps for the removal of Usher. The policy of the English government towards New Hampshire during the years which followed the Revolution may be almost said to have shown an ingenuity in error. It was neither popular nor strong. By handing over the colony to a greedy adventurer it alienated the settlers. By the appointment of men ill-chosen and arbitrarily changed, it forfeited all chance of official experience or continuous tradition in administration. Upon the recommendation of the disaffected settlers one Partridge was appointed Lieutenant-Governor in the stead of Usher.¹ He had been a shipwright at Portsmouth, and it is not unlikely that he may have been known to Phipps, and so recommended at court.² We may infer too that, since his appointment was immediately due to the influence of Ashurst, he belonged to that party who wished to see the colony incorporated with Massachusetts.

In the summer of 1697 Partridge landed with his commission as Deputy-Governor. On the plea of some informality or delay in his taking the necessary oath, Usher attempted to resist his appointment.³ The majority of the settlers however stood by the new Lieutenant-Governor, and issued a proclamation affirming that Usher's commission was null and void.⁴

Usher prudently remained at Boston and contented himself by sending home a dispatch in which he described "the Piscataqua rebellion," the preparations of horse and foot which had been made to seize him, and the danger that the French would fall upon the country while it was thus rent with civil war.⁵ It is impossible not to suspect that the Boston shopkeeper felt a certain satisfaction in writing a dispatch to the English government in

¹ Partridge's commission is in the Prov. Papers (vol. ii. p. 259).

² Bellomont to the Lords of Trade, November 28, 1700 (New York Doc. vol. iv. p. 795). "I remember I rebuked Sir Henry Ashurst for procuring Mr. Partridge to be made Lieutenant-Governor of New Hampshire, who is a carpenter by trade and a sad weak man. I told him that his genius had a strong bias to carpenter-governors, for he it was, with Mr. Mather, that got Sir William Phipps made Governor of New England."

³ Partridge to Lords of Trade, Jan. 3, 1697 (Prov. Papers, vol. ii. p. 266).

⁴ *Id.* p. 215.

⁵ Usher's letters describing the proceedings against him are in the Board of Trade Papers, New England, vol. viii.

which he could describe himself as the object of an insurrection. The Lords of Trade in answer told Usher to act provisionally as Lieutenant-Governor till Partridge had fulfilled the necessary formality. They also announced Bellomont's appointment to the governorship.¹

In August 1698 matters were still further complicated by the arrival of Allen in the colony. He did not claim any higher post than that of a *locum tenens* pending the arrival of Bellomont.² But he contrived to entangle himself in petty disputes with the Assembly concerning the appointment of officials and the levying of rates. He also upheld the claims of Usher, not, as it would seem, to retain the office of Lieutenant-Governor, but to sit as a member of Council. The Deputies contended that the appointment of Partridge, by depriving Usher of office, left him without a qualification for the Council. With that one exception the disputes seem to have turned chiefly on formal points of procedure.

In the midst of these broils Bellomont reached the colony. His whole stay there lasted only a few weeks. As might have been expected, he did little to give stability or efficiency to the government. His genial bearing won the hearts of the colonists.³ The urgent representations of the need for guarding the frontier were probably not without effect. Still more, he brought home to the English government what manner of men they were to whom the colony was given over. Allen was ill-advised enough to attempt to deal with Bellomont as he had dealt with Blathwayt. He proposed to share his own territorial rights with him, and he offered his daughter with a substantial dowry as a match for Bellomont's younger son. A high-bred Irish nobleman was not likely to be won by a proposal to make Usher's sister-in-law a member of his household.⁴ The offer only added something to the bitterness with which Bellomont denounced Allen in his dispatches. His invective however was not limited to the Proprietor. It extended impartially to all who were scrambling for place or striving to make profit

¹ Letter from the Lords of Trade to Usher, Aug. 3, 1697 (Prov. Papers, vol. ii. p. 217).

² Allen's speech to the Assembly (*ib.* p. 292).

³ They voted him five hundred pounds. The Act is in the Prov. Papers (vol. ii. p. 332).

⁴ This is told in a letter from Bellomont, June 19, 1700 (*Col. Papers, Am and W. Indies*, 961).

of New Hampshire, to Usher, to Blathwayt, and to Partridge. The latter was exporting ship-timber to Portugal. Discreditable and inexpedient as such a trade doubtless was in a public servant, yet Bellomont is obliged to admit that Partridge had not violated any law. At the same time he strongly urges the necessity for dealing with the forests of New Hampshire as nurseries of timber for the royal navy.

Bellomont's account of Rhode Island was fully as unfavorable. In September 1699 he visited that colony. As was usual with him, he seems to have expressed somewhat outspoken disapproval of what he saw, and yet to have avoided any open breach with the settlers. But the report which he sent home reminds one of Randolph's dispatches in the bitterness of its tone and its eagerness to lay hold of every incident which can be turned to the discredit of the colonists. Much of Bellomont's indignation is the contempt of an educated gentleman for the political efforts of untaught traders and yeomen, of the disgust of a well-trained official for slovenliness and lack of business-like precision. The Attorney-General is an illiterate mechanic; the judges are laymen with no knowledge of law. There are no schools, and the generality of the people are shamefully ignorant.

Bellomont too would have so interpreted the privileges granted by the charter as to practically deprive the colony of all rights of self-government. He takes exception to the proceedings of the colonial government in levying taxes, in acting as a civil tribunal, and in inflicting capital punishment, urging that none of these rights were expressly conferred by the charter.

The one really weighty matter in Bellomont's report is his description of the dealings of Rhode Island with pirates. The Deputy-Governor, in defiance of orders from his superior, granted letters of marque, which were abused for illegal ends; the colony grew rich by its trade with pirates, and there was no willingness among citizens to help at enforcing the law.

The piracy of Rhode Island might well excite Bellomont's wrath, as a subject fraught with painful memories. His attempt to deal with it had brought on him discredit peculiarly odious to an honorable man, and it can hardly be said wholly undeserved.

¹ Bellomont's report is in the R. I. Records (vol. II. pp. 389-93).

The facts are matter of historical notoriety. The increase of piracy was a growing evil, a danger to English trade, and a source of anarchy and demoralization in the plantations. Yet Bellomont and the pirates.¹ it seemed doubtful whether the English government had either the ability or the will to suppress it effectually. In those days the line of distinction between the regular navy and the merchant service was less sharply drawn than it is now. Private enterprise might discharge the duty which government was neglecting. Bellomont organized a small partnership in which Shrewsbury, Somers, Romney, and Orford were partners.² They obtained from the King a grant of all spoil that might be taken from the pirates, subject to royalty of one-tenth reserved for the Crown.³ There is nothing to show that the partners other than Bellomont took any share in the matter beyond contributing their money and looking for their profit. Bellomont then entered into negotiation with a wealthy New York merchant, Robert Livingstone. Livingstone furnished a ship under the command of one William Kidd, a crafty and unscrupulous Scotchman, who had seen some service as a privateer against the French. Formal articles of agreement were then drawn up between Livingstone and Kidd on one side and Bellomont on the other as to division of the spoil.⁴ In these articles there is no reference to Bellomont's partners. It is noteworthy that neither here nor, as it would seem, in the grant from the King is any provision whatever made for restitution of goods to the original owners.⁵ Armed with authority from the Crown, Kidd manned his vessel at New York, and set sail with a crew of a hundred and fifty men.⁶

There is good reason to think that Kidd had before he sailed deliberately laid his plans for deceiving his employers.⁷ Whether he used his authority to clear away those who might be his competitors does not appear. In any case it is

¹ The authorities for this matter are, (1) Bellomont's dispatches, most of them published in the fourth volume of the *New York Documents*; (2) Kidd's trial in the *State Trials* (vol. xiv.); (3) a contemporary pamphlet entitled *A Full Account of the Proceedings in Relation to Captain Kidd*.

² I can find no definite record of this partnership. It is referred to in the *Full Account*, p. 7.

³ *Full Account*, p. 9.

⁴ These articles are in the *New York Documents* (vol. iv. pp. 768-5).

⁵ The grant from the King to Bellomont is not, as far as I know, extant. But the writer of the letter refers to it, and if it had contained any clause for the benefit of the despoiled owners, that point would have been so important to his case that he would never have overlooked it.

⁶ *New York Documents*, vol. iv. p. 299.

⁷ I infer this from the story about Fletcher mentioned below.

likely that the rumors of more vigorous measures against pirates did something to give Kidd a monopoly of his business.

A vague tradition of peculiar horror has gathered round the name and exploits of Kidd. He is usually regarded as a plunderer who enjoyed a long career of exceptional success, and was stained with crimes of peculiar atrocity. As a matter of fact all his iniquities were accomplished between the summers of 1697 and 1699. He seems too to have been more knave than ruffian. This in fact is shown by the nature of the capital charge on which he was tried and condemned. Wrangling with a mutinous sailor, Kidd struck the man over the head with a bucket, and did him a hurt of which he died. Kidd no doubt richly deserved his fate, but if he had been the wholesale murderer that he has been painted some more effective charges could have been found. It is also noteworthy that the dispute with his victim was caused by Kidd's supposed timidity in refusing to attack a particular ship. So too Kidd pleaded in his defense that he had been coerced by his crew into playing the part of a pirate. Grotesque as the defense was, it may have contained a grain of truth. One would infer from Kidd's conduct throughout that he looked on piracy as a game which should be played cautiously and for safe stakes.¹

Kidd's own exploits are not the only part of the story on which legend has been at work. The tale of his plunderings not unnaturally raised an outcry against the partners who had employed him. The proceedings which followed have been treated as a base Tory intrigue, contrived to blacken the character of Somers. No doubt party feeling quickened and emphasized the indignation which was caused by the affair. No doubt it was made to assume a character of moral turpitude which in no way belonged to it. To suggest that Bellomont, Somers, and Shrewsbury had fitted out a pirate ship was the mere raving of partisanship. But it is not easy to acquit them of culpable indifference in the matter. It has been argued that the partners had shown their faith in the scheme by investing their own money in it, and that failure would bring its own pen-

Attack on
Bellomont
and his
partners.

¹ Kidd is specially accused of beating his prisoners with the flat blade of a cutlass to make them give up their goods. No doubt the process was an unpleasant one, but the Kidd of legend would certainly not have stopped short at the flat blade. That the incident should have been mentioned as one of peculiar atrocity is an instance of the unquestioning way in which such matters are repeated.

alty. But they had invested something more than their own money. They had invested the good name of their country, they had made themselves responsible for the security of commerce and for human life. In such a matter error of judgment is a plea that can hardly be advanced for public men. Nor can it be fairly said that the speculation was one which could not be profitable to the partners unless it were also useful to the public.¹ Kidd might carry out his scheme of deceit and account to his employers for profits which were professedly taken from pirates, in reality from peaceful traders.

Moreover, the very nature of the transaction was one which made it peculiarly binding on the partners to scrutinize the character and watch the actions of those whom they employed. There was an element of danger in the plan which, if it could be met at all, could be met only by extreme care. If the scheme was to be an honest one, not only must pirates be put down and trade protected, but goods already plundered must, when recovered, be restored. The attempt to overcome piracy through a system of payment by results was almost sure to fail in that respect.

Under ordinary circumstances it is not unlikely that Kidd's craft would have been rewarded with success. There is good reason to think that he had secured the support of Fletcher, the Governor of New York, by promising him a share in his spoils, to the value of ten thousand pounds.² Smaller colonial officials could, no doubt, have been bought on more moderate terms. Kidd, instead of becoming an ogre of legend, might have ended his days as a respected citizen, and his bones, instead of bleaching on a gibbet, might have rested under a stone where he would be described as an exemplary husband and father, a brave seaman, and a pious Christian. Happily for public morality, he had made an enemy of the one man whose enmity could be peculiarly dangerous to him. Whatever may have been Bellomont's shortcomings, his high spirit, his keen sense of his own honor, and his eager zeal for the public good were beyond doubt, and on every one of those points Kidd had wounded

¹ Both these pleas are urged by Lord Macaulay in his history.

² Bellomont twice refers to this (*New York Doc.*, vol. iv. pp. 760, 825). An entry in Luttrell's *Diary* for May 30, 1699 (vol. iv. p. 521) mentions that Fletcher was to be prosecuted for ill practices.

him bitterly. He who had been sent out specially to clear the American coast of piracy was charged with being the accomplice of pirates. He who had been chosen to give the colonists their first experience of the administrative capacity of an English statesman was entangled in a scandal to which past colonial history could show no parallel. Bellomont's impetuosity of temper had led him to take up the scheme for extirpating piracy without duly weighing its drawbacks. The same impetuosity now urged him to do his best to clear himself, to undo the mischief which he had unwittingly brought about, and to punish the man who had betrayed him. Kidd's confidence, as it would seem, made the task easier than might have been expected.¹ The pirate voluntarily offered to come to Boston. Probably he hoped, in his ignorance, to deal with Bellomont as he had dealt with Fletcher, since he mentioned that he had ten thousand pounds' worth of goods on board. He also sent a present of jewels for Lady Bellomont, and it is illustrative of the public morality of that day that Bellomont by the advice of his Council made a point of accepting them, lest his refusal should excite suspicion. Kidd, thus beguiled into security, came to Boston, was arrested, sent to England, tried at the Old Bailey and hanged. After his arrest he endeavored to secure at least a respite by offering to guide his captors to the spot where he had hidden his spoils. It is not unlikely the tradition of Kidd's hidden treasure, which has been a commonplace of legend and romance, has no better origin than the invention of a baffled and despairing scoundrel.

Though the years of Bellomont's administration were years of peace, yet he showed himself fully sensible of the dangers which threatened the colonies from the French and Indian alliance. A really effective combination might, he says, drive the English out of the American continent. He clearly saw that it was useless to think of defending the frontier by a strategy of counter-sorties. "It is to as much purpose to pursue them" (the natives) "in the thick woods as to pursue birds that are on the wing."²

Bellomont was also keenly alive to the importance of the alliance with the Five Nations. He writes home in 1700, warn-

¹ The details of Kidd's arrest are all told in a report presented by the Lords of Trade to the Lords Chief Justices, Sept. 12, 1699 (New York Doc. vol. iv. p. 583).

² Letter of April 20, 1700 (New York Doc. vol. iv. p. 638).

ing the government that their Indian allies are "staggering in their affections and obedience," and drawing an oddly expressed picture of the impending danger. "Are we content," he asks, "to be the amazing butchered spectacle of so many miserable cadavers?"¹ He seems however to have been reassured by the news that two ambassadors from New York had met the Mohawks at Albany, and were persuaded that, in spite of French intrigues, they might be trusted.

The warnings given by Bellomont were supplemented by Nelson.² He had manifestly made good use of his time as a prisoner at Quebec in fathoming the French schemes against New England. The Peace of Ryswick had done nothing to define the boundary between Canada and Maine. The question was left to be settled by a separate negotiation. According to Nelson, it would be the endeavor of the French to extend their frontier to the Kennebec, pleading as an inducement that such a boundary would enable them to restrain their Indian allies more effectively than any of the smaller rivers to the north. This, Nelson points out, would enable them to secure the alliance of an important body of Indians, who might otherwise be gained over by the English. It would also place in the hands of the French all the stores of ship-timber upon the Kennebec.

Bellomont himself had a somewhat elaborate scheme for a line of military settlements along the frontier, modeled, one cannot help thinking, on the Roman policy of garrisons.³ The soldiers were to be employed in making tar for the English navy. A portion of their pay was to be funded, and at the end of seven years this was to be spent in setting them up as yeomen, each with a holding of forty acres.

Bellomont's proposal seems to have been suggested by a more elaborate scheme which was laid before him by a Colonel Hamilton, the Deputy-Governor of Pennsylvania.⁴ This project is worth notice as one of the first definite proposals for a scheme of colonial union. It would be too irksome to the colonists to keep a militia permanently posted on the frontier.

¹ Letter of same date (*Col. Papers*).

² His dispatch, written from Paris, Jan. 26, 1698, is in the Hutchinson Papers (*Mass. Hist. Coll.*, 3rd series, vol. i. p. 134).

³ *Col. Papers*, 1700, June 22, printed in New York Doc. (vol. iv. p. 668).

⁴ The scheme is among the *Colonial Papers* (1699, Feb. 14). It is printed in the New York Documents (vol. iv. p. 679).

The colonists therefore, being unable, and presumably unwilling, to defend their frontier by personal service, must do so by paying troops. This might be done by calling a convention of representatives from all the colonies to arrange a joint contribution. Even apart from this immediate necessity it would be well, Hamilton adds, to have such a convention once in every three years.

If however this cannot be arranged, then a contribution for common defense must be required from each colony. This had best be done by a poll-tax. The various colonial Assemblies may be induced to consent to this if it is represented to them that it is regarded by the King as a compromise, an equivalent for that personal service which he has a right to demand.

There are other proofs that the need for some common system of defense was forcing itself upon men's minds. There is extant among the "Colonial Papers" a petition called "A Memorial by the colonists for union. memorial of several inhabitants and proprietors in the North part of America for uniting those colonies under a single government."¹ It sets forth the need for a system of common defense, and for a Governor "of worth and honor." The only noteworthy name among the signatories is that of Samuel Penhallow, one of the wealthiest men in New Hampshire, and at a later day Chief Justice of the colony.

At the same time another scheme for a common system of administration was brought before the English government. This was devised by William Penn, and endorsed, as it would seem, with approval by Bellomont.² Penn's proposal differed from Hamilton's in that a common system of defense was only one of the incidents, and not the main object, of it. There was to be a uniform standard of coin for all the colonies, and a joint mint for small money. A protective import duty was to be imposed on foreign timber, whereby the colonists would be compensated for the restrictions of the Navigation Acts and encouraged to check the waste of ship-timber. Measures were to be taken by all the colonies acting together against the

¹ *Col. Papers*, 1697, Feb. 1.

² The document containing these proposals is among the *Colonial Papers*, America and West Indies, 57a. It is endorsed "Heads of several things proper for the King's Plantations and fit to be recommended home to England, drawn up by Mr. Penn." This endorsement is signed "A true copy. Bellomont." The writer or writers throughout use the form "we." I cannot find any further proof that Penn was the author of it.

French on the frontier, and against pirates. There was to be a common law of naturalization, and a uniform system for dealing with runaway servants and fraudulent debtors. The just claims of the colonists to a partly independent jurisdiction are to be secured by providing that appeals should only lie in civil cases where the matter at issue was of more than three hundred pounds value. A system which made no provision for meeting the cost of military operation and which left the question of salaries untouched could hardly have satisfied Bellomont, and would assuredly have gone for little with the English government. But the history of colonial unity is the history of experiments, of tentative proposals and abortive schemes. Every attempt has some interest, since each did something towards preparing men's minds for the final solution.

CHAPTER VIII.

THE GOVERNORSHIP OF JOSEPH DUDLEY.¹

THE death of Bellomont in July 1701 vacated the governorship of Massachusetts. By the appointment of Phipps the English government had endeavored, whether wisely or not, to harmonize its new supremacy with the feelings of its subjects in Massachusetts. By the appointment of Bellomont it had endeavored, not unsuccessfully, to bring the colony under an organic system of colonial administration. In the choice of a successor to Bellomont both these objects were set aside. That choice fell on Joseph Dudley. To statesmen unfamiliar with colonial politics this was probably represented as an appointment, like that of Phipps, calculated to gain the good-will and to soothe the wounded vanity of New England. In real truth it was certain to alienate the one party in the colony who were worth winning. The friends of Dudley were either the members of the old official party who had survived the downfall of Andros, or they were men, like Sewall, too lukewarm in politics and too much absorbed in the two cares of saving their souls and bettering their estates, to afford vigorous support to any government. In neither of these

¹ Our knowledge of the incidents of Dudley's governorship is largely derived from Hutchinson, who evidently made very full use of the colonial archives. Two pamphlets attacking Dudley and one defending him are published as a preface to the second volume of the *Sewall Papers*.

For Indian affairs we have a new and valuable authority in Penhallow. He emigrated from Cornwall to New England at the age of twenty-one, in 1686. He settled at Portsmouth, in New Hampshire. There he married a rich wife, and became Treasurer and afterwards Chief Justice of the colony. His *History of the Wars of New England with the Eastern Indians* extends from 1703 to the year of the writer's death, 1786. It was republished in 1826. My references are to this edition.

For ecclesiastical affairs at this time, as well for those of the College, the *History of Harvard University* by Mr. Josiah Quincy, President of Harvard, published in 1860, is a valuable authority.

classes was there any local prejudice which was worth conciliating at the price of administrative efficiency. As to the third class, the survivors of the party of Danforth and Richards, they were far more likely to look with patience on a statesman like Bellomont, of administrative capacity and independence, than on a Massachusetts Puritan degenerated into an English placeman. But though there can have been little real eagerness in Massachusetts for Dudley's appointment, yet he had craft enough to turn that little to good account. He procured a petition in his own favor from a number of New England merchants and a letter of recommendation from Cotton Mather.¹ He set up what was probably a more effective claim by voting with the court party in its unsuccessful attempt to carry Littleton against Harley for the Speakership.² Dudley was aided too by the absence of any concerted or intelligent opposition. Ashurst, as agent for the colony, opposed the election, but, as it would seem, on his own responsibility, and without any understanding with his employers in America. He was misguided enough to propose as a candidate Lord Cornbury, a grandson of Clarendon, and consequently a nephew of the Queen.³ His after-career as Governor of New York showed that he was politically as worthless as Dudley, with far less ability and outward decorum. At the same time the opponents of Dudley in the colony were organizing a separate opposition to him. The colony had at present two agents acting as its authorized representatives in England, Ashurst and Constantine Phipps, afterwards Chancellor for Ireland. The latter was supposed to be in the confidence of the Jacobites, and it is not unlikely that he was chosen as agent in the hope that the colony might thus stand well with both parties. In 1701 it was proposed that a third agent should be chosen, to lay before the King the threatening attitude of the French on the north-east frontier. He was also to petition for a royal charter of incorporation for Harvard. These were the ostensible purposes of the agency, but there can be little doubt that it was intended to influence the choice of a Governor. It was proposed to send Increase Mather. To do that however

¹ Hutchinson, vol. ii, p. 123. The petition is in the *Colonial Papers*. I do not know whether Cotton Mather's letter is extant. It is referred to in a letter from Ashurst to Increase Mather, given by Hutchinson in a note as above.

² Hutchinson says Onslow against Harley; this is plainly a mistake.

³ See the above letter.

would have been to play into the hands of Dudley. Cooke, who had in some measure succeeded to the position of Danforth, opposed Mather's appointment with success. The choice fell instead on Wait Winthrop, son of the late Governor of Connecticut. It has been thought that the choice of him was partly intended to recommend him to the English government as a candidate for the vacant office.¹

If this resistance to Dudley's appointment had been carried out promptly and in conjunction with Ashurst, it might have borne some fruit. As it was, before Winthrop had sailed the news that Dudley was to be Governor reached the colony.² With it there came the report of another measure calculated to increase any alarm which might be caused by this appointment. A bill was being brought into the House of Lords for annulling the charters of the plantations.³ The death of the King and the dissolution which followed put an end to that danger. But the threat can have hardly failed to awake suspicion, and thereby to heighten the odium which attached to Dudley's appointment, and to increase his administrative difficulties.

Dudley was bound by his instructions to follow out the same policy in his dealings with the Assembly as that unsuccessfully attempted by his predecessors. He was to do his ^{Dudley's instructions.}utmost to secure a fixed salary by grant from the Assembly.⁴ He was also to recommend to the Assembly the building of a house for the Governor, and if possible to induce them to renew the fortifications of Pemaquid. Nothing was to be printed without his permission. He was at the same time by a separate instrument appointed Governor of New Hampshire, and he was also empowered, in case of danger, to assume military authority over Rhode Island and the Narragansett country.

The appointment of Dudley may not have been very important in its immediate and positive results. Yet it is impossible not to see in it a great opportunity lost, and the marked beginning

¹ Hutchinson (vol. i. p. 129) gives a full account of this affair.

² *Id.* vol. i. p. 130.

³ I cannot find the introduction of any such measure in the Journal of the House of Lords. But it is clear from Hutchinson that the colonists were alarmed by such a rumor. Trumbull appears actually to have seen the draft of the bill, though he is somewhat vague as to the date of its introduction (vol. i. p. 408).

⁴ Dudley's commission and instructions are in *Colonial Papers*, N. E. Board of Trade, No. 37.

of a corrupt and fatal system. A resolute and courageous Governor might have seized the opportunity of the French war to impress on Massachusetts the identity of her interests and those of the mother country. He might even have taught her to feel a pride in that administrative connection which at the outset she viewed with distrust and dislike. As it was, the choice of Dudley marked the beginning of a system which handed the colonies over to greedy placemen of second-rate abilities, and made the English government dependent for its knowledge of colonial thought and feeling upon men to whom the best side of colonial life was a sealed book.

The real danger which resulted from Dudley's position was to the permanent relations between the colony and the mother country. As regards any injury which he might inflict on the liberties of Massachusetts, he was kept in check, not so much by any remnant of patriotism, as by faults of mind and temper. His adroitness was often rendered useless by the petulance of disappointed vanity.¹ He had the tact which wins individuals; he showed no trace of the broader insight which measures the feelings of a community. He seems to have regarded the older school of Massachusetts politicians with something of the contemptuous disgust which has often turned the son of a Puritan household into an open defier of decency. We have already seen how at an earlier day, instead of tiding over the transition from self-government to despotism, he had unnecessarily and almost insultingly forced upon men's minds the sense of what they had lost. So it was now. In June 1702 he reached Boston. Following Bellomont's example, he made a speech to the Assembly. The main burden of it was to impress on the colonists the lesson that henceforth they were to be governed in accordance with English official principles. That the colonies were to be administered in a great measure for the benefit of the English merchant was no doubt an accepted doctrine with English statesmen. But it was hardly one to be set forth, crude and naked, to a New England audience. Yet Dudley plainly told his hearers, echoing the maxims of Childe, that New England contributed but little to the English customs in the way of revenue, and that the col-

¹ Sewall gives more than one instance of Dudley's uncontrollable temper (vol. ii, pp. 83, 260, 262).

onists were therefore all the more bound to regard the Acts of Navigation, and to benefit the mother country by the importation of naval stores.¹ As before, one feels that if a patriot had been endeavoring to bring home to his countrymen ironically the full nature of their loss, he could hardly have done it more effectively. A man of any tact would at least have seen that such a general declaration of policy would be a fatal obstacle to the practical and detailed encroachments at which he aimed.

With such a beginning it was hardly strange that Dudley was wholly unsuccessful in the chief objects to which he sought to persuade the Assembly. Like Bellomont, he insisted on the fortification of the north-east frontier and on the necessity of granting the Governor a fixed salary. Both these demands were rapidly becoming test questions, and the opposition to them was acquiring an intensity wholly apart from their intrinsic importance. In spite of the urgent and repeated exhortations of the Council, the House of Deputies stubbornly refused to make any permanent grant of a salary to the Governor.²

The appointment of a man like Dudley, who looked at questions of colonial administration purely from the point of view of the English merchant, fully justified the Deputies in using the one defensive weapon left to them under the new constitution. The same consideration serves to palliate their undoubted supineness in the defense of their frontier against the French and the Indians. Now, as indeed for the next forty years, the settlers failed to respond to the appeals of the English government, not so much from indifference, as because the appeal was made through men in whom they felt no personal confidence. As it had been with Andros so was it now with Dudley. But though this may make the conduct of the settlers excusable, it does not make the result any less deplorable.

Dudley had scarcely made his opening speech when the news reached Boston that England and France were again at war.

**Dudley's
conference
with the
Indians.** The Governor at once went to the frontier and held conference with the Indian chiefs. Even in doing this he managed to give needless offense by going with a

¹ Mr. Palfrey quotes the greater part of Dudley's speech (vol. iv. p. 248). It is, I presume, taken from the Massachusetts Records.

² Hutchinson, vol. ii. p. 135. He publishes the message from the House refusing to accede to the Governor's requests.

staff of his own appointment, instead of one nominated, or even in any way approved, by the Assembly.¹

Dudley soon gave a further instance of his want of conciliatory tact. The new charter gave the Governor the power of imposing a veto on the election of any Councilor. Once only had that power been used, when Phipps had indiscreetly gratified a personal grudge against Elisha Cooke. In May 1703 the list of Councilors selected for the year was submitted to Dudley. He at once struck off five names.² Cooke's was again among the rejected, and his presence could not fail to stamp the act as an attempt to disarm and punish a personal rival.

We may be sure that French diplomacy was too well informed and too adroit not to understand and to turn to full account the differences between Dudley and the people of Massachusetts. In the summer of 1703 the settlers of Massachusetts were alarmed by rumors of French intrigues among the natives. Accordingly in June Dudley held a second conference at Casco. Among the chiefs present were Bomazeen, who had played so prominent a part in the late war, and another, Hope Hood, who by acts of peculiar atrocity had become a byword of terror among the English.

So far as the Indians could be said to be amenable to any fixed principle of policy in their dealings with civilized neighbors, they were influenced by the wish for secure trade. The rulers of Canada grasped that fact far more clearly than their rivals. At the same time the geographical position and the habits of the French settlers placed them in a far better position than the English for establishing a complete system of Indian commerce.

Of this Dudley seems to have had some perception. At the conference certain trading stations were established, and a tariff fixed at which goods should be sold. The natives were loud and rhetorical in their protestations of friendship. Yet there were circumstances in the conference which roused suspicion. It was believed that the Indians had their guns loaded with ball, and

¹ Hutchinson shortly describes this conference. He especially mentions the fact that Dudley chose his own staff, adding that he would never allow the Assembly to appoint the members of any committee for diplomatic purposes.

² Hutchinson, vol. ii. p. 136.

³ This conference is very fully described by Penhallow (pp. 16-18). He takes it as the starting point in his history.

that a mixed force of three hundred men, partly French, partly Indian allies, was at hand, and was only prevented by some accidental delay from joining and falling upon the English.

These suspicions were confirmed six weeks later. It was the deliberate and avowed policy of the French so to commit their allies, the Abenakis, against the English as to make it impossible for them to be neutral.¹ In this they were helped by the unprincipled conduct of certain Englishmen, who plundered a trading station belonging to a son of De Castine by one of his Indian squaws. Full amends seem to have been made, but the incident helped to give the French the handle which they needed.

Nothing could more strikingly illustrate the manner in which the French Canadians looked on their English rivals, their utter indifference to suffering, the cold-blooded deliberation with which they used the fury of the savages as their instrument, than the account which the French historian, Charlevoix, gives of the outbreak of war in 1703. He tells how Vaudreuil, the Governor of Canada, sent out a mixed force of Indians and French under one Beaubassin.² The ravages which they made were, says Charlevoix, of no great importance, though they killed about three hundred men.³ Scarcely a settlement on the north-east frontier escaped, while further west the torrent of invasion poured into the valley of the Connecticut and overwhelmed Deerfield.⁴

The misery of the years that followed was without a parallel in the earlier history of New England. In the Pequod war, in the struggle against Philip, the settlers were at least braced up with the feeling that they were on a work which, once for all done, would never need doing again. Here there was little scope for the better gifts of soldiership; it was one long dull agony to be endured. Philip's warriors had no temptation to cumber themselves with prisoners. For the able-bodied combatant death on the battlefield by the bullet or tomahawk was a trivial misfortune compared with Indian captivity. It is not fair to call the Indian cruel, as the Roman was cruel who enjoyed the

¹ "D'ailleurs le point essentiel étoit d'engager les Abenakis de manière qu'il ne fût plus en leur pouvoir de reculer" (Charlevoix, vol. ii. p. 290).

² He would hardly have recognized himself on the pages of Penhallow as Bobasser.

³ "Ils y firent quelques ravages de peu de conséquence; mais ils tuent trois cents hommes" (from the passage quoted above).

⁴ Penhallow gives a full account of all these events.

sufferings of the arena, as the Imperialist soldier of the Thirty Years' War was cruel when he tortured harmless peasants. The Indian inflicted the most appalling torments, but he did so deliberately, recognizing that it was the business of the human body to endure pain, and not for a moment shrinking from the application of that doctrine to himself. In the case of non-combatants he was often kindly disposed to his captives. But no feeling of humanity ever led him to spare a prisoner who cumbered his retreat, any more than civilized soldiers would spare a drove of weary cattle.

The evil of such a mode of warfare lies not merely in suffering but in demoralization. In a war like that with Philip the effect is transient, and to a great extent locally limited. Here men on the frontier lived from month to month and year to year under a terror which at length taught them to regard their enemies as wild beasts.

For the first year of the war the English contented themselves with fortifying their houses and frontier villages to the best of their power, and beating off each raid as it was made. But Church's expedition in 1704.¹ in 1704 it was resolved to send out a retaliatory expedition under the command of Church.

We have seen how time after time invasions of the Indian country to the north-east had been attempted and had failed. It was now decided to adopt a fresh policy. In February Church laid a scheme of attack before the Governor. A force was to be carried along the coast in whaleboats, to touch at various points and harass the Indians, and then land at Penobscot and march thence westward. By this means some part at least of the work would be done without exposing the troops to a long march through the frontiers of Maine. Church's proposal went into somewhat minute details as to the furnishing of the expedition. Some of these forcibly illustrate the difficulties attending a country where military training was unprofessional and intermittent, and where every man was responsible for his own equipment. The force was to consist of none but good marksmen, efficiently armed. "Bad men are but a clog and hindrance to an army, being a trouble and vexation to good commanders, and so many mouths to devour the country's provision, and a hindrance to all

¹ For this expedition Church himself is our best authority.

good action." Every man was to have a sufficient supply of bullets, gauged to the bore of his gun, in a bag specially marked, so that he should know his own.¹ The need for this precaution had been impressed on the English by a fight at Casco. There the musket balls served out to the men did not fit their guns, mostly, no doubt, fowling-pieces, and had to be cut and hammered while the troops were under fire.²

Church's scheme was approved by Dudley. Church himself was commissioned as colonel, and authorized to raise a mixed force of English and Indians. In May the expedition sets out. It consisted of five hundred and fifty men, on board fourteen transports. They were convoyed by three men-of-war, and accompanied by thirty-six whaleboats, intended to carry them through the shallows, and for inland navigation. At Piscataqua the troops, for greater secrecy, parted from their convoy, and worked their way along the coast, moving chiefly by night, avoiding, as far as might be, any alarm that could be caused by using firearms, and getting such scanty information about the enemy as could be gleaned from Indian prisoners. Advancing up the Penobscot river, the troops obtained a few unimportant successes, unpleasantly like those achieved by the French and their allies on the English frontier. In one instance indeed Church frankly admits that his orders were reckless and inhuman. "I hastily bid them pull it" (a house) "down, and knock them on the head, never asking whether they were French or Indians, they being all enemies alike to me."³ All that we know of Church's conduct throughout the war with Philip proves that he was far from an inhuman man. That such a man should himself admit that he had been goaded to an act of indiscriminating severity shows how the English settlers were being moved by the atrocities perpetrated on the frontier with the sanction and encouragement of French soldiers and French missionaries. On the other hand, it is clear that Church's conduct in this matter was censured at Boston, a fact which illustrates a certain change from the temper of earlier days.

After his raid along the Penobscot Church rejoined the men-of-war at the mouth of the river. Before sailing he had suggested to Dudley an attack on Port Royal. Dudley discouraged the

¹ Church, p. 246.

² *Id.* p. 166.

³ *Id.* p. 264.

scheme, pleading that he had laid the matter before the home government, and that nothing could be done pending their decision.¹ Church however considered that this did not withhold him from an attack on Acadia. His first attack was on Menis, a small French settlement on the coast of Acadia, twenty miles north-east of Port Royal.² The town was in no state to hold out, and the only attempt at resistance was to fire from behind banks at Church's troops as they advanced. Menis itself was abandoned, and the inhabitants carried off their goods, leaving only their stores of wine and spirits, which nearly proved fatal to the discipline of the captors, especially of the Indian allies.

Church occupied the empty town, and sent a warning message to the Governor of Port Royal that he had come to retaliate for the atrocities perpetrated on the English frontier. A council of war was then held to decide whether Port Royal should be attacked. The decision, apparently unanimous, was that the force in hand was unequal to the task. The troops were embarked and returned to Boston, touching here and there on the way, and carrying out petty hostilities in the same fashion as on the outward voyage. Church consoled himself for the poverty of the results by the belief that his message to Port Royal had struck terror into the French and withheld them from further atrocities. The Assembly of Massachusetts took a less favorable view, and Church escaped a vote of censure mainly, as it would seem, through tenderness to his past services and reputation.³

While Church was thus endeavoring to create a diversion on the coast, the Indians were continuing their raids upon the western frontier from Maine to Connecticut. The French too found that the English attacks in Acadia admitted of retaliation in kind. In August 1704 they made an attack on Newfoundland with no great effect. In the following January this was followed up by a more resolute and more successful effort. All the smaller settlements were destroyed, including, it would seem, the town of St. John's. But the fort and castle there held out gallantly and successfully through a siege of thirty days.⁴

¹ Church, pp. 252-3.

² Menis or Minas is the present Horton, at the head of Minas Bay, an inlet at the north east end of the Bay of Fundy.

³ Penhallow, p. 30.

⁴ For these attacks see Penhallow, pp. 36-39; Charlevoix, vol. ii. pp. 296-8.

That Church's failure had not shaken the confidence of the New Englanders was shown by their unwillingness to accept terms of peace, or even neutrality. In 1705 negotiations were opened between Dudley and Vaudreuil, the Governor of Canada. According to the proposed agreement, there was to be a complete restoration of prisoners on both sides and abstention from future hostilities. The General Assembly discouraged the negotiation, and Dudley had to content himself with the belief that the overtures had served to secure a virtual neutrality, without in any way pledging the Massachusetts government.¹

Next year the Indian raids on the frontier went on with their wretched and monotonous tale of imprisonment and tortures.

Attack on Acadia. The hopes of the settlers however were raised by the report that the English government really purposed an

attack on Acadia. The defeat of Almanza obliged ministers to reconstruct their plans, and the American campaign was abandoned.² The government of Massachusetts therefore resolved to make the attempt with such help as could be got from the neighboring colonies. Connecticut, mindful, it may be, of the unsatisfactory results of the combined expedition against Quebec, declined. New Hampshire and Rhode Island each sent a contingent. The alliance of the latter was of special importance, since, in the earlier part of the war, citizens of Massachusetts had crossed the border and naturalized themselves in Rhode Island to avoid service.³ The whole force numbered a thousand men, but in what proportion it was made up from the different colonies does not appear.⁴ In spite of Church's failure, the expedition was planned on the lines which he suggested. In May 1707 the troops were embarked on transport vessels, convoyed by two men-of-war, and accompanied by fifteen whaleboats. The command was entrusted to one Colonel March. Nothing is recorded of his previous doings, but it is clear that he had no special qualifications for the task in hand. The campaign opened well. In

¹ Hutchinson, vol. ii. p. 153; Charlevoix, vol. ii. p. 301. The original documents explaining the negotiations are among the *Colonial Papers, America and West Indies* (No. 1 and No. 185).

² Hutchinson, vol. ii. p. 165.

³ This is stated by Dudley in a letter to the Lords of Trade, Nov. 10, 1702 (*Col. Papers, America and West Indies*, No. 1).

⁴ The best account of this expedition is that given by Hutchinson. He evidently made very full use of the original authorities to which he had access.

a skirmish in front of Port Royal the French were worsted, and Subercase, their Governor, after having a horse shot under him, was driven into the town. But after that one slight success all was disaster. Apparently March and his officers had no distinct notion of the opposition which they were likely to meet with. The English troops remained in an intrenched camp, exposed to a somewhat ineffectual fire from the town, and liable to be cut off by the savages if ever they ventured outside their works. After a fortnight a council of war was held, and a resolution was passed "that the enemy's well-disciplined garrison in a fort was more than a match for a raw undisciplined army." Yet March did not either withdraw his troops or send for reinforcements, but made a faint and half-hearted attempt at an attack. It is said that this was done under a belief that there were traitors in the garrison. The only practical result must have been to increase the demoralization of the English and the confidence of the besieged. March then withdrew his force to Casco Bay and sent to Boston for further orders.

Dudley now showed no lack of resolution. He at once dispatched a small reinforcement with three Commissioners, who were practically to supersede March while sparing him the mortification of a formal dismissal. The Commissioners joined the force at Casco, and ordered it back to Port Royal, a measure which went near to raising a mutiny. As far as any real hope of success went the Commissioners might as well have given in to the mutineers. March, from some bodily or mental failing, as it would seem, had become incapable of giving orders. Accordingly the force was placed under the officer next in command, Wainwright. The renewal of the attempt must have been solely in conformity with Dudley's orders and with some notion of satisfying public opinion at Boston, not with any real hope of success. Subercase had used the interval during which the troops were withdrawn, to strengthen his position. In some petty skirmishes outside the walls the English had the best of it, but nothing was done to bring them a step nearer the capture of Port Royal. Diarrhœa and quinsy broke out among the troops, and, after spending ten days ineffectually before the town, they were withdrawn and returned to Boston. There was vague talk of an intended court-martial, but the idea was abandoned from the

impossibility of limiting the number of culprits by any process of selection. The New England officers laid the blame of failure in part on the commanders of the King's ships. They, it was said, had refused to co-operate zealously, distrusting the capacity of the provincials. That distrust was destined for the next forty years to be an almost insuperable bar to any joint operations either against French or Indians. The same contemptuous disbelief in the capacity of the provincial soldiers had a large share in leading English statesmen into those acts of folly and injustice which lost the colonies. Erroneous the estimate no doubt was, but it can scarcely be said that it was wholly unfounded. English commanders had never been permitted to see the better side of colonial soldiership. The prompt daring which dealt a deathblow to the Pequods, the stubborn persistency which overcame Philip, those acts of isolated gallantry, the defense of frontier towns and garrison houses, which fill the pages of Mather and Penhallow, were unknown to English statesmen and generals. They only saw the colonists in those operations for which their want of scientific knowledge and professional training, the absence of mechanical subordination, the very instincts and associations of citizen life, unfitted them.

In the present instance there were special hindrances at work. The resources of Massachusetts were paralyzed by political disaffection, by the ill-feeling which subsisted between the Governor and the Assembly. In 1705 the representatives showed their readiness to defy Dudley by electing as their Speaker Oakes, one of the very men who had been rejected by the Governor as members of Council. The Governor thereupon again intervened and applied his veto. Under the charter that power was expressly extended to all elections and acts of government. The Assembly however refused to accept an interpretation which included the appointment of Speaker. Dudley fortunately had a judicious counselor in Sewall. They were connected by a marriage between their children, and though there was little in Sewall of the eager patriotism of earlier days, yet his integrity and public spirit, his elevation above all petty motives of class or party, made him a safe counselor and a fit mediator in such a time of strife. Acting apparently by his advice Dudley

Dispute
about the
Speaker-
ship.¹

¹ For this dispute see Hutchinson (vol. ii. p. 159) and Sewall (vol. ii. p. 132).

withdrew his veto on the Speaker's election, declaring at the same time that he did so to avoid a dispute in a time of public emergency, but without prejudice to his constitutional rights.

Dudley's concession on this point only delayed an open breach with the legislature. He renewed his demands for the fortification of Pemaquid and for the establishment of fixed salaries, adding at the same time a proposal for the contributing to a fort on the Piscataqua. The Assembly stood persistently fast in its refusal.¹ They repeated the contention that the fort at Pemaquid was useless to the colony, and they asserted more definitely than on any previous occasion the doctrine that it was the privilege of English subjects that all money for public purposes should be raised and appropriated by their own vote.

The fortification of Piscataqua was a demand against which the colonists were certain to protest. It might well irritate them to be deprived of New Hampshire and then expected to pay for the defense of the province. The Deputies pointed out that the real importance of the Piscataqua turned on the timber trade, and that the cost of defense should therefore be borne either by the home government or the settlers along the river.

The nature of the opposition to Dudley went far to mark the deterioration in New England statesmanship. A miserable intrigue was set on foot to have him superseded by Sir Charles Hobby. Hobby was a man whose position was not wholly unlike that of Dudley. He was a native of Boston who had succeeded in ingratiating himself, some said by corrupt means, with the English court, while he still stood well with the orthodox Puritans at Boston. But, unlike Dudley, he had broken away, not only from the political creed, but also from the traditional morality of New England.² It is probably significant of the turn which public opinion was taking in New England that Nelson should now have been addressing the English government in favor of Dudley. Nelson was evidently a clear-sighted, energetic man, standing outside the party divisions of the colony, and mainly concerned with the resistance to Canada. He had opposed Andros because he was an incapable administrator. If he

¹ The answer of the Assembly, dealing very fully with each point successively, is given by Hutchinson (vol. ii. p. 190).

² Hutchinson, vol. ii. p. 153. Sewall, writing in December 1705, says that news had come "of a kind of certainty that Sir Charles Hobby is to be our Governor."

now supported Dudley, we may believe that the Governor understood the wants of the country at least better than those who were intriguing against him.

At the same time there were vulnerable points in Dudley's administration which it needed no great tactical skill to turn to account. There is no distinct evidence that Dudley was a corrupt man. It would seem rather as if in his case cupidity was overruled and subdued by ambition. To tower over his countrymen as the representative of English ideas and interests, raised above petty provincial views, seems to have been Dudley's guiding object. But there can be little doubt that in pursuing that ambition he had surrounded himself with a little band of corrupt followers. Nor is there anything to forbid the belief that he at least connived at their corruption, though he did not himself profit by it.

The form which this corruption took was one peculiarly and justly calculated to exasperate New England patriots. It was believed that persons in office and in the Governor's confidence were trading with the French in Canada. It was even said that negotiations for the exchange of prisoners had been made a pretext for such a trade, and that the French had been thereby supplied with ammunition.

In 1706 an agent was sent from Boston to negotiate for the restitution of prisoners. Two journeys were made, with the total result of bringing back twenty-four out of all the captives who had been carried across the frontiers.¹ Rumors soon got about that the agent, Rouse, had, in real truth, been using his official position as a cloak for carrying on trade in ammunition and stores of war for a small partnership of New England citizens. On this charge Rouse himself, Vetch, who had acted as the representative of the colony in the negotiations with Vaudreuil, and two others, Borland and Lawson, were apprehended and put on their trial. The indignation which this charge naturally excited was quickened by the suspicion that the Governor was implicated. The eagerness of the popular party however frustrated itself. They were not content to leave the matter to the Council as the supreme criminal court. Technically, their proceeding was based on the ground that

¹ Hutchinson, vol. ii. p. 154. I have relied mainly on Hutchinson for the whole dispute. Of the *ex parte* statements made for and against the Governor I have spoken below.

the offense had not been committed within the limits of the colony, and that it lay therefore outside the jurisdiction of any colonial tribunal. But there can be no doubt that in reality the Assembly wished to deal with the charge from a fear that the personal interest of the Governor might hinder justice. At first it was proposed to try the offenders for high treason. This scheme however was abandoned, and it was resolved to bring in before the Assembly a bill of pains and penalties against each of the persons apprehended, as well as against two comparatively unimportant accomplices. The whole six were found guilty. Rouse was fined twelve hundred pounds, and declared incapable of holding office. Borland was fined eleven hundred pounds, and smaller fines were inflicted on the other offenders. This form of procedure no doubt marked emphatically the public sense of the crime. But as a practical means of bringing the offenders to justice it was ill-judged. The authorities in England always looked with jealousy on the claim of the colonists to administer criminal justice. To reverse a sentence of the Supreme Court on appeal would not have been actually a violation of the charter, but it would have been an exceptional measure. To use the royal veto to defeat a vote of the Assembly was, as we have seen, not in any way a violation of usage. In September 1707 the Acts came before the Queen in Council. The royal approval was withheld, not on the ground that the charges were unfounded, but that they should have been dealt with by a court of law, and not by the General Assembly.

The popular feeling against the Governor had been increased by the reckless indiscretion of his son, Paul Dudley. Not long after his father's appointment he wrote a letter to England couched in language which recalls the attacks of Randolph. He and his father, so he said, were looking forward to the establishment of a Court of Chancery by the Queen. The colony would never be worth living in for lawyers and gentlemen till the charter was removed. By some mischance the letter passed into the hands of Dudley's enemies, and copies of it were distributed through the colony.¹

Dudley had also contrived to enlist against himself the enmity of the very men to whom in a great measure he owed his appoint-

¹ This letter is published in the *Deplorable State of New England* (p. 9).

ment. The breach had begun at the outset of his official career. Within a week of Dudley's landing as Governor he called Dudley's quarrel with Cotton Mather.¹ on Cotton Mather. The latter, with characteristic arrogance and want of tact, admonished him as to the men on whose advice he was to depend. Especially was he to avoid identifying himself with Byfield or with Leverett. The latter was opposed to the Mathers in theological and ecclesiastical matters, and was viewed by the younger with jealousy as being a possible rival for the presidency of Harvard. A report, true or not, came to Cotton Mather's ears that Dudley had grossly betrayed his confidence. "The wretch," so runs the entry in his diary, "went unto these men and told them that I had advised him to be no ways advised by them."

If Dudley was in reality withdrawing himself from any alliance with the Mathers, he was only abandoning allies from whom help could no longer be expected. A variety of causes had worked together to weaken the influence which the father had won by real political services, and the son by less assured literary merit. The views of Brattle and Calef had gradually and insensibly worked their way into men's minds, and the witchcraft trials were felt to have left a vague stain of incapacity and cruelty on all who had taken a leading part in them.

An effective revolt had been made against the existing ecclesiastical system in such a fashion as to identify the Mathers with the defeated party. A congregational church had been established at Boston on principles wholly at variance, not only with the received theory of independency, but even with the modification of that theory which practically existed in New England.² In ritual the new church was only marked from its predecessors by one change, but that was a significant one. In the congregational churches lessons from Scripture were never read. This probably was from a wish to discover and mark every

¹ This affair is told in an extract from Cotton Mather's own diary (*Mass. Hist. Coll.*, 1st series, vol. iii. p. 137). It is so little to Mather's credit in any way that we may safely trust his testimony.

² The constitution of the new church is very clearly set forth in a document entitled *A Manifesto or Declaration set forth by the Undertakers of the New Church, now erected in Boston, New England, November 17, 1699*. This is published in the *History of the Church in Brattle Street, Boston*, by its Pastor, Samuel Kirkland Lothrop, Boston, 1851.

possible mode of difference from the Church of England. The new congregation proposed to imitate the usage of the English reformers. But the really important change lay in the nature of church-membership. It is hardly too much to say that the new system transformed the church from a spiritual brotherhood into a civil corporation. The choice of a minister was to be vested, not in the communicants, but in every baptized adult who contributed to his maintenance. Every child brought as a candidate for baptism by a professed Christian was to be accepted. No declaration of faith or of spiritual experiences was to be made to the congregation. All that was required was that those who sought to communicate should satisfy the minister.

Before the principles of the Boston reformers had actually embodied themselves in an organized church Increase Mather had, by anticipation, declared war upon them. In 1697 Cotton Mather wrote a *Life of Jonathan Mitchell*.¹ To this Increase Mather appended what was avowedly a preface, but what was, in reality, rather a vague attack on certain neological tendencies which were making their way among the New England churches. Especially he dwells on the danger of in any way relaxing the conditions required from communicants. Three years later Mather followed this up by a more direct and avowed attack. A pamphlet was published entitled "*The Order of the Gospel professed by the Churches of Christ in New England justified.*" This was a general exposition of the congregational principles accepted in New England. As with the *Life of Mitchell*, the sting lay in the preface. This was written by Increase Mather, and contained a more direct attack on the new and heretical congregation. Their deviation from congregational usage is denounced as apostasy, as a symptom of worldliness and formality and of the decay of the power of religion in New England. Among the doctrines denied by the new church one apparently was the need that every pastor should be specially appointed to his own flock. "A wandering Levite," says Mather, "is no more a pastor than he that has no children is a father, or a man who has no wife is a husband." Mather's own antecedents made the expression "a wandering Levite" a somewhat perilous one, and his victims were not slow to seize their opportunity. They

¹ It is in the fourth book of the *Magnalia*.

point out that Mather had himself admitted the principle that the ministerial functions, when once conferred, were not limited to a single congregation. Not only was this Mather's theory, but his practice answered thereto. Otherwise, how could he justify his four years' absence from his flock? Was he "all that while a stray bird idly wandering from his nest?"

In their indignation at this retort the Mathers wholly lost sight of sobriety and self-restraint. The answer of the Brattle Street seceders was entitled "The Order of the Gospel revived." This was at once followed by a rejoinder called "A Collection of some of the many offensive matters contained in a pamphlet entitled The Order of the Gospel revived."¹ The pamphlet was anonymous, but general opinion and internal evidence justify one in ascribing it to Cotton Mather. In any case, the elder Mather accepted and approved it by discharging his customary duty of preface-writer. Text and preface vie with one another in their denunciations of Brattle and his associates. They are "underminers of the Gospel," "scandalous scoffers," "bold youths who violate the fifth commandment, without the least spark of shame in them to cry shame of their rude and vile threats given by them unto the aged President of the College." The Mathers had indeed reached that frame of mind when any doubt as to their infallibility, or any attack on institutions with which they were identified or connected, was viewed as a personal slight, an act of pretentious contumacy.

Meanwhile the elder Mather was losing ground in another way with those who had no sympathy with Dudley as a politician or with the new ecclesiastical principles. In 1664 Increase Mather had been chosen as minister of the Second Church in Boston. In 1685 he was appointed President of Harvard. After his return from England he continued to reside at Boston. Short as the distance was, yet, as might have been expected, it was deemed unsatisfactory that the College should have a non-resident head.² Unfortunately, the College was at this time practically without a constitution. It was held that the abrogation of the charter of the colony carried with it the

¹ The first mentioned of these three pamphlets, that entitled *The Gospel Order*, is in the British Museum. I have not been able to find copies of the others, and I have had therefore to rely on the epitomes and extracts given by Mr. Quincy.

² Quincy, vol. i. p. 74.

abrogation of any other charter which proceeded from and was dependent on it.¹

More than one attempt had been made to remedy this by Acts of the Assembly incorporating the College and defining its constitution. The first of these passed in 1692, immediately after the establishment of the new constitution. It provided that the College should be a corporation of ten persons, nominated in the first instance and then self-elective, with power to hold property and to grant degrees, and exempt from all taxation and public dues.² Increase Mather still remained President. No provision was made for visitatorial functions.

As with the other Acts of this Assembly, nearly three years was allowed to pass; at the expiration of that time the King refused his assent to the Act, and the College was left without a constitution. Nevertheless, in 1697 the Assembly made another attempt to settle the position of the College. Another incorporating Act was passed. This gave less power to the corporation than was conferred by the Act of 1692. It restricted the tenure of fellowships to seven years, with a possibility of re-election, it reduced the quantity of land which the corporation might hold and the exemptions which the Fellows were to enjoy. Finally it made the Governor and Council a Board of Visitors.³

The Act at once called out bitter hostility from Increase Mather. In conjunction with his son Cotton and two other men he presented a remonstrance to the Assembly.⁴ There can be little doubt that Mather's hostility to the Act rested mainly on the fact that it required residence from the President. The remonstrance however touched but lightly on that point. Its main objection was the clause which vested visitatorial powers in the Council as well as the Governor. That, according to Mather, was sure to be obnoxious to the King, and would lead to the failure of the whole measure. Mather's remonstrances led to some modifications. Residence was not to be required till the Act had received the royal sanction. The right of holding land and the exemption from taxes were both slightly extended. These changes however did but little to satisfy Mather. He was

¹ Quincy, vol. i. p. 82. This doctrine is assumed in all the proceedings subsequent to the Revolution.

² Acts and Resolves, vol. i. p. 38.

³ *Id.* p. 288.

⁴ This remonstrance is given by Mr. Quincy in an Appendix (vol. i. p. 488). The fact that it was presented is mentioned by Sewall (vol. i. p. 441).

dissatisfied with any settlement which did not confirm him in the Presidency and absolve him from all obligation of residence. It is plain too that he was in his heart, and probably unconsciously, opposed to any settlement which should dispose of the question without a direct petition to the King. He was filled with a longing to play once more the part of a benefactor and a mediator in England; to do fully and effectually for the constitution of the College what he had done imperfectly for the constitution of the colony. To a man of Mather's temperament, at once public-spirited and vain, it becomes a necessity to wipe out the memory of a failure by some conspicuous service. Discredited by Phipps's failure, vaguely, though it might be unjustly, associated with the cruelty and injustice of the witchcraft trials, with the ecclesiastical system on which his power rested tottering, Mather must have looked back with regret to the days when he mixed as an equal among English statesmen and courtiers, when his mere word was enough to save the threatened rights of Massachusetts. The fate of the proposed measure was determined by the arrival of Bellomont. He plainly told the Assembly that the charter, as it stood, would never receive the royal approval. The clause which conferred visitatorial powers on the Council, instead of reserving them exclusively for the Governor, would be fatal.¹

On this point the Court gave way. But, reverting to the vicious practice of New England in early days, they introduced a vague and indefinite religious test. "Whereas the first planters of this colony and founders of this College were, as to their persuasions in matters of religion, such as are known by the name of Congregational or Presbyterian, and the general profession and practice of the churches throughout this land hath been and is according thereunto, and the College being intended as a nursery of these churches, be it enacted that no one shall be the President, Vice-President, or Fellow of the corporation but such as shall declare themselves and continue to be of the said persuasion in matters of religion."² A test so indefinite in its character could not have failed to stir up strife. One may well believe this consideration had a full share in leading Bellomont to oppose the meas-

¹ Bellomont to Lords of Trade, Aug. 28, 1699 (Board of Trade, N. E. No. 9).

² This is among the *Colonial Papers* (Nov. 22, 1699, Board of Trade, N. E. No. 9). It is entitled "A copy of a paragraph in the Act for incorporating Harvard College," and is signed "A true copy, Bellomont."

ure. He then advised that the Assembly should in general terms petition the King for a charter.¹ The Council and the Deputies wished instead to submit a definite charter to the King for his approval.

If Bellomont had lived longer there is every likelihood that his influence on the one hand with the Assembly and on the other with the Crown would have enabled him to bring about a compromise. As it was, the College remained without a constitution, discharging its educational duties, but without legal status, and therefore with an uncertainty attaching to its tenure of property and to all its corporate acts.

As a consequence of this state of affairs it was specially important that the College should not be discredited by a non-resident head, while on the other hand the machinery for enforcing residence was defective. The matter too must have been made more difficult by the fact that all or nearly all concerned were honestly anxious to retain Mather, subject only to the condition of residence. But after more than one attempt on Mather's part to reside, frustrated, he himself said, by bad health, he sent in his resignation to the Assembly. That body did not at once accept the resignation, but arranged a compromise whereby Willard was appointed Vice-President with, as it would seem, the duties of the Presidency. This measure seems to have been unacceptable to Cotton Mather. His later conduct showed that he had set his wishes on succeeding his father in the Presidency. Since Willard was over sixty when he was appointed, Cotton Mather could hardly have looked on him as a dangerous rival. But he might well feel that if he had been nominated to the Vice-Presidency now that would have given him an indefeasible claim to the higher office at a later day. In any case he gave up his seat on the Council and was replaced in it by William Brattle, a brother to the man who had openly opposed the Mather's, both over the witchcraft trials and in the foundation of the Fourth Church.

In September 1707 Willard died. The corporation thereupon treated Increase Mather's resignation as having taken formal

¹ See the above letter by Bellomont.

² All these proceedings are very fully described by Mr. Quincy (vol. i. ch. vi., vii., viii.). His account is mainly based on Increase Mather's Diary, a large portion of which is published by Mr. Quincy in an Appendix.

effect, and appointed a new President. Their choice fell on John Leverett, grandson of the Governor of that name, a man not much over forty. The appointment was a deathblow to Cotton Mather's most cherished ambition. The action of the government was such as to emphasize and embitter his defeat. It was impossible for the legislature either formally to grant a charter to the College or to endow it by Act without the consent of the Crown. But what it could not formally do by Act it was able practically to do by resolution. The General Court declared that the Act which had established the College in 1650 had never been repealed nor annulled. They therefore directed the President and Fellows of the College to carry on the government in accordance with that Act. At the same time the House of Representatives voted to the President an annual salary of a hundred and fifty pounds a year.

The whole procedure was fatal to the hopes of the Mathers. That Increase Mather should figure in the history of the College as the intercessor whose personal influence had won a charter from the Crown, that the first presidency of the newly constituted foundation should be held either by himself or his son, such was the eager craving of the pair whose mutual devotion does something to rob their ambition of its meanness. Now simultaneously the College was made wholly independent of the diplomatic service of Increase Mather, while his own connection with it was severed in a manner which left no hope that it could be reconstructed for the benefit of his son.

There may be room for doubt as to the exact extent to which Dudley was responsible for these measures. But it is at least certain that they could not have been carried through without his approval and support. With all his acuteness Increase Mather was neither proof against the intoxication of success nor the irritation of suspected neglect. It is clear too that the Mathers were one of those households bound together by a mutual affection and a loyalty into which family vanity largely entered. Everything in their past relating to Dudley must have made his desertion of them especially mortifying. By his support of Dudley the elder Mather had largely canceled that debt of gratitude which his political services had so honestly earned from his countrymen. The most satisfactory and most honorable portion of his career was the time

when in America he was inspiring the citizens of Massachusetts with determination to resist Andros, and when in England he was striving to win for them the full fruits of that resistance. In supporting Dudley he had signed an amnesty with one of the men whom it was his peculiar glory to have overthrown.

The Mathers might well be indignant at the breach of an alliance for which they had paid such a price. But however indignant they may have been, nothing could have been more ill-judged than their conduct. With all Increase Mather's astuteness, there was in him some touch of that vanity which wholly overthrew his son's judgment in all matters where his own position or reputation was concerned. Common discretion would have made Mather cautious in calling public attention to the misdeeds of a Governor for whose appointment he was largely responsible. At least he might have been silent about acts which had been matters of notoriety at the very time when he was recommending Dudley for office.

Yet Mather's disappointed vanity blinded him to any such reflections. In January 1708 he addressed a letter to Dudley inveighing against his conduct.¹ The reproof assumed that peculiarly irritating form, an earnest profession of the writer's zeal for the moral well-being of the culprit. Mather began by protesting that the "singular respect" with which he had once regarded Dudley had given way to great disappointment. These relations, in fact, had been those of a spiritual fatherhood and sonship. Yet without any apparent sense of incongruity Mather dwells on Dudley's misdeeds in New England before the Revolution, and on his conduct in the trial of the New York insurgents in 1690. These things had been matters of notoriety, yet they had called forth no rebuke from Mather, nor had he deemed them any drawback to Dudley as a candidate for the governorship.

This letter was accompanied by one from Cotton Mather, more angry, as might have been expected alike from the fact that he was the main sufferer and from his less masculine and restrained temper. Yet, to do him justice, he sees that weak point of the case which his father had overlooked. He expressly states that

¹ This letter and that of Cotton Mather which I have referred to below, together with Dudley's answer, are in the 3rd volume of the Massachusetts Collection, 1st series.

when he befriended the Governor and furthered his appointment he deliberately reflected on the past misdeeds of Dudley's career, and satisfied himself that there had been due repentance. That however is the one redeeming feature of sanity in the letter. Increase Mather had at least summed up Dudley's chief misdeeds pithily and effectively. Cotton Mather's letter is an alternation of violent abuse with vague innuendo. The failure of the expedition against Canada is all laid to Dudley's account, though not a word is said to show by what means or for what motive he had frustrated its success.

Dudley dealt with father and son in a single answer. His letter shows how much he had gained by his contact with the political life of the mother country. He will not be entrapped into following his opponents into a detailed controversy. Nor does he yield to the temptation of recriminating against the Mathers by those counter-charges for which their past career gave opening. He contents himself with pointing out that the manner of attack was indecent and even seditious. Adapting himself to the modes of thought of his opponents, he sets forth from Scripture the laws which should govern Christians in administering reproof, and he finds it no hard task to show how the letters of the Mathers fail to fulfill those conditions. The folly of Dudley's assailants in returning to matters before the Revolution gives him an easy opening for retort. Why have they been so long silent? The crimes with which they charge him, "murder, robberies, and other such flaming immoralities, were as reprovable then as now!"

This private attack on Dudley was accompanied by a public, and as one may call it, a semi-official one. In 1707 a pamphlet was published entitled "A Memorial of the present deplorable State of New England," bringing various charges against the Governor. He was accused of countenancing the contraband fur trade with Canada, and for that purpose of neglecting to take proper measures both for the defense of the frontier and for the recovery of prisoners. Vague statements were also made of his selling offices and taking bribes in the administration of justice. This was followed in the next year by a reply on behalf of Dudley and by a rejoinder. This rakes up all

¹ The two pamphlets against Dudley and the one defending him are published as a preface to the second volume of the *Small Papers*.

the charges standing over against Dudley from the days of Andros, and adds a few details of administrative corruption.

Throughout life, save for his one brief and easily repaired defeat at the Revolution, Dudley was the child of good-fortune, and not the least share of his luck came from the temper and intelligence of his opponents. Whatever case there may have been against him now was wholly thrown away by clumsy advocacy. The strong points and the weak were all put forward together, diffusely and without emphasis. The charges were supported by affidavits. There can be little doubt that these established the accusation of official corruption against the Governor's son. That Vetch and others had been guilty of contraband trade was not denied by any one. On the other hand, there was nothing but vague hearsay to connect the Governor with such charges. If Dudley's opponents had been content to charge him with connivance, there is little doubt that they would have damaged his position. There might be no legal proof of guilt, but morally a Governor could hardly absolve himself from responsibility for acts done by his own son and by officials of his own choosing. As with Andros, the eager credulity of the assailants overshot the mark. Every error in Dudley's policy against the Indians, one may go further and say every step of which the result had not been wholly satisfactory, was imputed to the deliberate treachery of the Governor. It was thought worth while to publish a long and incoherent letter, without a signature, in which the writer expressed his belief "that the Governor intends to forward the French and Indian enemy to destroy all they can, and keep the country alarmed, thereby to put them to such vast charges as will ruin the whole government, by killing some and impoverishing the rest."

The defense made on Dudley's behalf was little more than a plain and not very effective exposure of the inadequacy of the evidence brought against him. In reality such charges disposed of themselves better than any advocate could dispose of them. They must, we may be sure, have done something to beget sympathy with a calumniated man, to discredit Dudley's opponents, and to break up the old party of constitutional opposition. Nor was that all. The attack on Dudley cannot have failed to confirm and intensify the impression left by the witchcraft trials. No

one can read the pamphlets against Dudley and not trace the hand of Cotton Mather. The exact extent of his responsibility may be doubtful. But there cannot have been in the circle of Dudley's enemies another pedant of such magnitude as to drag in an obscure and inappropriate reference to the Council of Orleans in the first century. The pamphlets teem with the worst characteristics of Mather's literary work. Pointless anecdotes are strewn over the pages; one meets at every turn the cheap rhetoric of interjections, the ineffective emphasis of nicknames and italics. With such an ally one may well understand how Increase Mather's influence was shattered; how, despite past services, he and those who thought and acted with him lost all hold on the sympathies and opinions of their fellow-citizens; how the old Puritan spirit wholly vanished, and left the ground clear for the predominance of commonplace officials.

Dudley's opponents must have been further discredited in the colony when it became known that Ashurst was exerting himself ^{Improved position of Dudley.} in England to secure the substitution of Hobby as Governor. At the election of 1708 Oakes was an unsuccessful candidate for a place in the Council, and though Cooke was elected, Dudley's veto of him passed, as it would seem, without challenge.¹ At the same time it was clear that the attacks on the Governor had produced little effect in England. Vetch, who had been among the most guilty of those concerned in the trade with Canada, was favorably received by the Queen and her advisers, was promoted to the rank of Colonel, and authorized to communicate with the various Colonial governments concerning operations against the French.²

In the spring of 1709 the English government decided on a scheme of attack identical with that attempted nineteen years ^{Designs against Canada.} earlier. A fleet and five regiments were to be sent from England. At Boston they were to be strengthened by twelve hundred men raised in New England and by a supply of transports. This force was to attack Quebec, while fifteen hundred men, raised in New York, Pennsylvania, Virginia, and Maryland, were to march overland upon Montreal. After some little difficulty, caused by the pacific obstinacy of the Pennsyl-

¹ Hutchinson, vol. ii. p. 175.

² *Id.*

³ I have followed Hutchinson in my account of what follows, with such help as can be got from the *Colonial Papers*.

vanian Quakers, a force was mustered and placed under the command of Nicholson, a man whose administrative experience extended to New York, Maryland, and Virginia. He advanced as far as Wood Creek, the very point which had been the utmost limit of Winthrop's march.¹ The precedent was exactly repeated. Sickness broke out among the troops, and a retreat was ordered. A rumor found currency among the Canadian French that the expedition had been brought to nought by the calculating treachery of the Indian allies. A Jesuit missionary who had been kept prisoner at Albany professed on his return to have learnt the secrets of savage diplomacy. At a great council of the Five Nations, one of the elders of the tribe had pointed out that the capture of Montreal would destroy that balance of power between the two civilized races which was needful to the security of the Mohawks. To prevent this the Indians poisoned the stream on which the English were encamped by filling its upper waters with putrid skins.² The chief interest of the story is in the doubt as to its origin. French and Indians alike had abundant motives for such an invention. The former were keenly alive to the need for creating distrust and disunion between the English and their native allies. The latter might hope to make something out of the gratitude of those whom they could no longer hope to scalp or pillage.

It is not impossible that Nicholson's retreat may have been determined by intelligence from Boston. To advance without the certainty of support from the fleet would have been leading his men to certain destruction. When he returned to Boston he found that the expedition had not yet sailed. For four months the militia and the transports had been waiting for the arrival of the fleet from England. In October the news reached Boston that the ships which were to have acted against Quebec had been called off to relieve the besieged garrison at Alicant. The governors of colonies were now sitting in conference at Rhode Island. They decided to employ the force which had been raised against Quebec for an attack upon Port Royal, trusting to certain men-of-war then lying off Boston to help by convoying the transports. This scheme was frustrated, it is said, by the officers in command of these

¹ Wood Creek seems to have changed its name. In Popple's map, dated 1733, it is placed near the northern end of Lake George. ² The story is told by Charlevoix (vol. ii. p. 338).

Failure of
the in-
tended
attack.

ships, who hung back from an enterprise in which they could only have a subordinate and an unprofitable part. The troops were then disbanded and the transports discharged.

Meanwhile the settlers on the frontier were suffering all the dreary horrors of Indian warfare. There was no lack of courage, Sufferings of the settlers. of isolated acts of heroism, which give something of interest to the monotonous tale of slaughter and pillage. But no effective resistance could be looked for from men who must have felt that they were being sacrificed to the indifference and vacillation of the English government.

Not discouraged by his failure, Nicholson returned to England and urged the revival of the design against Quebec. The English government either shrank from the undertaking Conquest of Acadia. or allowed it to be delayed till too late. A smaller venture was decided upon, and the unhappy Acadians were to be once more tossed backwards and forwards between the conflicting powers. In July 1710 Nicholson reached Boston, and in September he sailed against Port Royal at the head of five regiments and a fleet of thirty-six sail. It is said, and the story is in every way credible, that a private message was sent to the English commander that no serious resistance would be made, and that the French settlers only wanted a decent pretext for submission.¹ On the twenty-fourth of September the English landed, and a few of the inhabitants were killed in skirmishes outside the town. The batteries then opened on the fortifications. For a week the French kept up a defensive fire. At the same time Subercase, the Governor, showed some inclination to make terms. Accordingly on the first of October Nicholson sent a summons to surrender.² The garrison were permitted to retire with the honors of war, and were to be transported to France; the property of all officers and of non-combatants was to be respected. The inhabitants themselves for an area of three miles round the town were to remain unmolested for two years; at the end of that time they were either to swear allegiance to the English Crown or to leave the province. By a declaration appended to the treaty the name of Port Royal was changed to Annapolis. The total English loss was about forty men, of whom twenty-six were drowned by the oversetting of a transport vessel.

¹ Hutchinson, vol. II. p. 182.

² The articles of capitulation are given in full by Hutchinson (vol. II. p. 186).

Before the actual surrender an attempt was made to utilize the position of the Acadians for the protection of New England. Livingstone is sent to Quebec.¹ Major Livingstone, of New York, was dispatched by Nicholson under the guidance of Castine to warn Vaudreuil that if any further injury were done to New England by the allies of the French, reprisals would be made on Acadia. The natives through whose villages the envoy passed were threatening, and Livingstone was once with difficulty rescued by his companion. The rivers too were frozen, and the journey through the wilderness had to be made on foot. After two months Livingstone reached Quebec nearly starved. The embassy did little good. Vaudreuil appeared indifferent to the threats of retaliation, and nothing could be obtained from him beyond a vague declaration of humane intentions.

The capture of Port Royal was followed up during the winter by some slight successes against the Indians. Their losses had been small compared with those inflicted on the English. Yet the exposure and the want which it brought in its train had reduced the tribes about Penobscot from four hundred and fifty fighting men to three hundred, and the elders of the tribe began to grow weary and to wish for peace. Some attempts were made at negotiation, but they failed, as it would seem, from the want of union and the absence of any central authority among the savages. In the spring the chief part left their country, taking refuge probably with their countrymen in Canada.² A few survivors remained, enough to create disturbance and alarm, but incapable of doing serious injury.

In the winter following the capture of Port Royal Nicholson was back in England, again urging the government to strike a blow at Canada. He in no way rose above a commonplace official view of colonial policy. But no one can read his dispatches and fail to see that he grasped that view clearly and definitely. His experience of the various settlements in which he had held office, coupled with his inborn shrewdness, taught him that the whole body of colonies had one

¹ Hutchinson (vol. ii. p. 185) gives a full account of this embassy taken from Livingstone's Journal. Penhallow gives a similar account, in all likelihood taken from the same source.

² Penhallow, whom I have followed here, says "they removed to other nations" (p. 67).

³ Hutchinson and Penhallow both give very full accounts of the expedition against Canada, and, what is a more essential part of my subject, of the proceedings at Boston in connection with it.

common interest, which could be satisfied only by the overthrow of French power in America. It was unfortunate for New England that those who held that view should have been officials of the stamp of Nicholson and Dudley, men with no power of kindling enthusiasm among the colonists or of working with them in any real spirit of harmony. At such a juncture, when the prolonged horrors of frontier war had been slowly impressing on the New Englanders the need for decisive action, a leader like Bellomont or Phipps might have awakened a spirit which would have anticipated the triumph of Wolfe. As it was, at the very moment when united and effective action was needed, the legislature of Massachusetts was wrangling with Dudley about his salary,¹ while half the citizens were firmly convinced that the only motive in his policy towards Canada was to find opportunities of jobbery for himself and his creatures.²

New England herself was not indeed without a spokesman. Among the pupils whom Harvard had contributed to the ministry Jeremiah Dummer,³ of New England, none had begun his career with more brilliant promise than Jeremiah Dummer. His Harvard teaching was supplemented at the University of Utrecht. Thence he had returned with a doctor's degree. In 1704 he made his first appearance in a New England pulpit, an appearance hailed with rapture by Increase Mather, as that of a teacher for whom all churches in and out of New England would be rivals. But despite Dummer's learning, there were defects in his oratory or flaws in his character which brought to nothing all this high promise. Failing to find a pulpit in Massachusetts, he came to England and attached himself to the service of Bolingbroke. He appears to have easily adapted himself to the metaphysical creed and moral practice of his patron, thus illustrating how the Puritanism of New England had become in many cases a mere veneer of expression, and no longer a heartfelt conviction.

But though Dummer dissociated himself from the traditions of his country he did not forget its interests. After the failure of Nicholson's expedition against Canada, Dummer published a

¹ For these disputes see Sewall (vol. ii. p. 226-7).

² Sewall (vol. ii. p. 63) mentions a conversation that he had with one Converse, an old citizen. He "expressed his grief that Governor Dudley put men in office that were not good."

³ Mr. Tyler gives a very full account of Dummer's career (vol. ii. p. 126-9).

pamphlet in defense of New England, in which he pointed out that the colonists were not to blame for the failure, and dwelt emphatically on the importance of the attempt and the need for perseverance.

In 1710, upon the death of Ashurst, Dummer was appointed to the agency.¹ Soon after he followed up his pamphlet with two memorials urging the need of operations against Canada. There can, he says, never be safety for the colonies till the American Carthage be subdued. He astutely seeks to disarm the commercial jealousy of English traders by pointing out that Canada could never be a wool-growing country. Whatever increases the prosperity of the colonies will really advance the welfare of the mother-country by enlarging the demand for English goods.²

His counsels were not wasted. There is no direct proof of the motives which influenced Bolingbroke's American policy. But we cannot err in thinking that the zeal with which the statesman took up the project of an attack on Canada was certainly quickened, in all likelihood kindled, by the counsels of Dummer. To an ordinary English statesman the very fact that a suggestion came from a colonist, and that it made for the interests of the colonies, would have been rather a repellent influence. But Bolingbroke had at least the merits of his faults. He was accessible to new ideas from whatever quarter; the very fact that circumstances had forced upon him a pacific policy in Europe would make him eager to strike a showy blow elsewhere. The character and temper of such politicians make it impossible to judge their schemes of comprehensive policy. They may have seen and estimated aright all the consequences of their action; on the other hand the apparent originality and symmetry of a measure would commend itself to them apart from its real merit. Be that as it may, Bolingbroke made the Canadian scheme his own, and threw himself into it with characteristic zeal.

¹ His commission is in the *Colonial Papers* (Board of Trade, N. E. No. 14).

² Dummer's pamphlet was entitled "A Letter to a Noble Lord concerning the Late Expedition to Canada." I have not been able to find it, and so have had to rely on Mr. Tyler's analysis of it. Of the two memorials, one is printed in the *Mass. Hist. Coll. series* 3, vol. i. The other, by far the most interesting, is in the *Colonial Papers* (Board of Trade, N. E., No. 14, Feb. 11, 1711).

³ Bolingbroke's interest in the Canada scheme is amply illustrated by his letters in the *State Papers*.

Early in 1711 an expedition was fitted out against Canada. Seven thousand men were embarked on forty transports, convoyed **Expedition against Canada.** and supported by fifteen men-of-war. But the policy of intrigue by which Bolingbroke and his colleagues had thwarted the English arms in Europe brought a Nemesis in America. The troops were placed under the command of John Hill, Mrs. Masham's brother, a man of no military experience or capacity. The preparations for the expedition were, as far as might be, kept secret. That no doubt was needful. But we can hardly wonder if the New Englanders judged the ministry by their European policy, and were slow to believe that they were now in earnest.

On June the eighth Nicholson reached Boston with orders to the various colonial governments to have their contingents in readiness. To keep the destination of the fleet more **Difficulties at Boston.** secret it only took on board such supplies as were needed to reach Boston. All that was required for a cruise calculated at ten weeks was to be laid in there. Such a demand was no small tax on the resources of the Boston market and the transport of the neighboring districts. It had become a rooted article of belief with the Boston patriots that every professed scheme of attack on Canada was in reality meant as a covert blow against New England. That delusion had baffled all the efforts of Andros and Dudley. So now men persuaded themselves that the scheme was an elaborate manoeuvre designed to fail, and to discredit New England by its failure. So sudden and so large a demand for supplies could only be satisfied by zealous co-operation on the part of every private citizen. A New England writer boasts of the prosperity of a town where such supplies could be found in less than a month.¹ But it is clear that the English commanders were chiefly impressed by the reluctance of the Boston traders. Prices at once rose, and supplies could only be obtained by an order of Court, empowering the agents of government to enter private premises and take provisions at a fixed rate.² The seller, we may be sure, indemnified himself by raising his price against the private consumer, and the citizens of Boston must have been exasperated by having to pay starvation rates for their pork and flour, while they saw goods at ordinary

¹ Penhallow, p. 68.

² Hutchinson, vol. ii. p. 292.

prices shipped on board a fleet which, as they firmly believed, was only intended to make an empty demonstration against the enemy. We hear indeed that some of the Boston gentry did their best to help the commissariat by feeding their households on salt meat.¹ The practical effect of such self-denial can hardly have been appreciable, while in all likelihood it would confirm the people in their belief that the whole scheme was undertaken in the interests of the official oligarchy. Meanwhile the English admiral was exasperated by hearing that deserters from the fleet were being sheltered and concealed in private houses in Boston.*

The error of depending upon New England for provisions was supplemented by a more serious one of the same kind. Though the difficulties attending the navigation of the St. Lawrence must have been well known in England, yet the fleet was sent out without pilots, to depend on those who could be impressed in Massachusetts. There could hardly be a better illustration of the ignorance of American affairs which prevailed among colonial administrators, ignorance for which a future generation was to pay so heavy a price. The St. Lawrence was a river in North America; it might safely be assumed that in any North American seaport men would be found familiar with its navigation. As a matter of fact there were at Boston a few ship-masters who had once or twice made the voyage. Such men were naturally unwilling to leave their business to help at an expedition in which they had no confidence and could render but little service. Here however, as with the provisions, force was employed, and pilots were reluctantly pressed into the service of the fleet.

With such a commander as Hill there was little hope of success. The expedition however broke down at a stage early enough to save him from the exposure of his incapacity. The fleet met with fogs and contrary winds. Unskillful navigation completed its misfortunes. Eight or nine of the transports were run upon rocks near the mouth of the St. Lawrence. A thousand soldiers were drowned; six or seven hundred men were rescued by the fleet. It was clearly useless to proceed further against Quebec. An attack on Placentia was suggested as an alternative scheme. That too was abandoned. The fleet returned

Want of
pilots.²

Failure of
the expedi-
tion.

¹ Hutchinson, vol. II. p. 192.

² *Id.*

³ *Id.*

to Portsmouth. A bitter dispute followed as to the source of the blunder which had led to the casting away of the vessels. The admiral, Sir Hoveden Walker, believed and did his best to persuade people in England that the mishap was due to the incapacity of the pilots, while at the same time he denounced the disloyalty and supineness of the New Englanders. At Boston men thought with even less plausibility that the admiral had deliberately frustrated a scheme which was for the profit of New England.¹

Meanwhile a land force of over two thousand men under Nicholson was advancing against Montreal by the route which The land force under Nicholson. had been twice before attempted without success.² No sooner did Vaudreuil, the French commander, learn the irreparable discomfiture of the English fleet than he detached his whole available force to cut Nicholson's communications. By good fortune the advance had been hindered by a lack of boats to carry the troops over Lake Champlain. If the fleet had reached Quebec safely the delay would have been fatal to any combined movement. As it was the news reached Nicholson just in time for a retreat to save his force.

One advantage, and one only, accrued from the attempt. The English garrison at Port Royal was not strong enough to hold the Safety of Port Royal. place against a resolute attack. The disaffected Acadians were supported by a strong force of Indians. Help was promised first from Quebec and then from Placentia. But the alarm of invasion made it unsafe for the French to detach either troops or a commander and the English garrison remained unmolested.³

The negotiations which led to the Treaty of Utrecht withheld France and England alike from any decided operations in America. Peace with the Indians. For another summer the dreary tale of Indian raids and murders went on along the frontier of Maine and New Hampshire. Yet the very minuteness with which Penhallow chronicles every individual murder is the best proof how

¹ Penhallow, p. 71.

² The exact number of Nicholson's force is not, as far as I know, stated anywhere. But Hunter, the Governor of New York, states, in a dispatch of September 12, 1711, that the force was to consist of nearly two thousand colonists and eight hundred Indians, but that the Pennsylvanian contingent, two hundred and forty in number, failed. *N. Y. Doc.* vol. v. p. 262.

³ Hutchinson, vol. ii. p. 199.

⁴ The treaty is given in full by Penhallow.

little solid danger or destruction there was. In the spring of 1713 the Indians learnt that there was peace between France and England, and that they could no longer look for support from Canada. Accordingly they sent a flag of truce to Casco. Dudley refused to receive them so far north. In July they met at Portsmouth, and there eight Indian chiefs, Bomazeen among them, solemnly petitioned the forgiveness of the English Queen for their past hostility and breach of faith, and professed their intention to be loyal and obedient for the future. The desolated frontier of New Hampshire was quickly re peopled by emigrants from Massachusetts, drawn thither by the prospects of the timber trade and fishery.¹ If we may believe Penhallow, it was reckoned that every Indian who had been killed during the war had cost the country a thousand pounds.² That there should have been no marked abatement of material prosperity, that trade should at once revive even in those quarters where life and property had been most endangered, is the strongest proof of the buoyant confidence and expanding resources of a young country.

¹ Penhallow, p. 83.

² *Id.* p. 42.

CHAPTER IX.

NEW ENGLAND IN 1700.¹

As we have already seen the governorship of Dudley marks a turning-point in the history of New England. Its chief incident, Dudley's govern-ment. the peace brought about by the Treaty of Utrecht, set the colonists free from the alarm of French invasion, from the hindrance of Indian raids. That however was but an administrative episode. The real importance in Dudley's career as head of the colony consisted in the emphatic manner in which it marked the change from self-government to officialism; from the old Puritan oligarchy to a community more liberal, more tolerant, less self-reliant.

At every stage in the life of Massachusetts her theological opinions and her ecclesiastical system furnish the best illustration of Change in theologi-cal opinion. the general current of thought and feeling which were at work. The movement which gave birth to the seceding church in Brattle Street was not an isolated protest against orthodoxy, made by a small knot of educated men at Boston. The secession there only represented in its fullest form a movement which was operating in districts less exposed to new influences and fresh ideas. There is a significant passage in the diary of Increase Mather, for 1697, in which he speaks of "miserable confusions and divisions," not only in Boston, but in Watertown, Cambridge, and Charlestown. A little further we read how the writer had attended a council of four churches at Watertown where it was intended to ordain two ministers, but because of dissensions in the church there was no ordination. "The like not known in New England" is his comment.²

There could not be a better illustration of the change which

¹ In the case of this chapter, as with the first of this volume, it is impossible to give any summary of the sources of information beyond what can be learned from the notes.

² Mr. Quincy quotes these passages from Increase Mather's Diary (vol. I. p. 477).

had come over public opinion in New England than the writings of John Wise. He it was who as pastor of Ipswich had been singled out for a victim when he and his fellow towns-
The writings of Wise. men made a stand against the tyranny of Andros. Thus politically he may be looked on as a survivor and representative of the school of Danforth. In 1705 he published a pamphlet entitled "The Churches' Quarrel Espoused." This was directed against a scheme proposed by certain of the New England clergy, and attributed mainly to the influence of the Mathers. They proposed to create associations of ministers who should in a somewhat vague and informal way act as the governing body of the church, recommending pastors and giving testimonials. The effect of the scheme would have been to substitute a self-electing order of clergy for the system of self-electing and self-governing churches. Wise throughout writes as an upholder of the old congregational order. He is thoroughly in sympathy with the original constitution of New England and with the spirit of her corporate life. He clearly sees that the self-governing church and the self-governing township gave mutual support to one another; that a change which threatened either could not but be dangerous to both. Yet with all this conservatism Wise's writing is the clearest illustration of the new ideas that were at work. He is separated by a whole age of progressive thought from the old defenders of the congregational system, from Cotton and Hooker. He does not rely on scriptural authority; his premises are mainly certain accepted truths concerning human nature, truths which a Deist might admit without inconsistency. Wise's pamphlet was reprinted at the time of the War of Independence, and though there was no very obvious appropriateness in the subject, yet there was a deep meaning in the connection. In his union of a conservative adhesion to the local institutions and the traditions of New England, combined with an acceptance of the general principles and methods of the eighteenth-century philosophy, Wise is the exact forerunner of John Adams, and of many of those who acted with him.

¹ *The Churches' Quarrel Espoused* was republished in 1776. There is a copy of this, not as it would seem one of the earlier edition, in the British Museum. I have not been able to find the proposed scheme which he attacks. The substance of it is of far less importance than the manner in which Wise criticises it. Mr. Tyler gives a very full account of this and of a later pamphlet written by Wise.

It is a slight but significant proof of a like change of feeling that Sewall in his diary speaks of reading Ben Jonson without any word of explanation or apology. There is ample proof of the diffusion of literature at Boston. Book-selling must have been a thriving trade when it was followed by a man of Usher's estate and position. In 1681 John Dunton, a London bookseller, visited New England to push his business there. His letters home are extant. They are full of affectation and pedantry and in his descriptions he does not scruple to plagiarize wholesale from well-known writers.¹ Yet his work is not without value as illustrating the social and economical life of Boston. We learn from him that besides Usher there were three booksellers, in spite of which Dunton found room to set up a fresh business. We may guess the nature and extent of their trade from the inventory, still extant, of a fourth, Michael Perry, who was in business a few years later.² It is a significant proof that the earlier traditions of New England were for the mass of her citizens passing away, that none of the works of Cotton, of Hooker, of Shepherd, or of Robinson appear in the catalogue. New England divinity is represented by her later writers, by Mather and Willard. The Latin classics are for the most part there; the Greek are wholly absent. It would seem that Sewall's liberality of taste was exceptional, since the only English play that can be identified is Decker's *Fortunatus*.

It is more singular that none of Milton's writings are to be found. English poetry is worthily, if somewhat scantily, represented by Drayton's *Heroical Epistles*, by Fletcher's *Purple Island*, and by Fairfax's translation of Tasso.³ Three illustrated copies of *Pilgrim's Progress* show how rapidly Bunyan's work had made its way among readers with whom romance had to veil itself under forms of edification.⁴

Meanwhile the productive energies of New England were grow-

¹ His letters are published in the Prince Society Publications, with a preface by Mr. Whitmore.

² The inventory is published as an Appendix to the above-mentioned edition of Dunton (pp. 314-9).

³ The *Gospel Call in Meter* need hardly be added. Fletcher's poem is catalogued under its alternative and less familiar title *The Isle of Man*. There is one odd error either in Perry's original list or in the reprint. *Alciades and Coriolanus*, an historical essay, translated from the Italian, is catalogued under the misleading title *Alciades and Carolina*.

⁴ According to Thomas an edition of *Pilgrim's Progress* was printed at Boston in 1682 (*History of Printing*, vol. ii. p. 323).

ing weaker, at least in those weightier departments of literature which had distinguished her earlier days. She had no historian like Winthrop. Cotton Mather's elaborate panegyrics are weak and formal beside Johnson's vivid outburst of heartfelt enthusiasm. The writings of Increase Mather, Willard, and Wise are more effective, more flexible in thought, less cumbrous in style than their predecessors, but they are built on a slighter scale. They are more of the nature of occasional writings, less of solid contributions to divinity or Church politics. The verse writers have lost even such inspiration as might be derived from Calvinism. They are at best graceful imitators of English models. The writings of Church and Penhallow, in which the tale of the French and Indian war is plainly and vigorously told, in one case by an actor, in the other by a man who had lived among the actors, who had himself sorrowed for the slain and trembled for his friends and kinsfolk, these are the most truly original writings that New England can offer us now. Save where the life of the colony itself furnished a worthy theme, New England was changed in literature as she was in political life; she had passed from an independent commonwealth to an English province.

If New England had fallen back in the higher paths of literature, she had as yet made but little way in those lighter forms which reflect the daily life of the community. In 1690 **News-papers and news-letters.** a newspaper was set up in Boston entitled "Public Occurrences both Foreign and Domestic."¹ The first, and as it proved for a long while the only, number announced that this would be continued monthly, or if there should be "a glut of occurrences" oftener. The purposes of it are declared to be "that the memorable occurments of Divine Providence may not be forgotten," "that people may understand the circumstances of public affairs at home and abroad," and "for curing, or at least charming, that spirit of lying which prevails among us." It relates various petty domestic incidents, most of them mishaps of some kind; it describes the outrages committed by the Indians on the frontier, and the condition of the expedition then in progress against Canada. The one important item of European news forms rather a startling comment on the alleged intention of "curing the spirit of lying." An insurrection in France is

¹ A copy of it is among the *Colonial Papers*

announced. The leader of it is a son of the king, goaded into rebellion by an intrigue between his wife and his father.

The government, thinking it unfitting for a private person to publish an unlicensed paper, and judging, not unwisely, that the paragraphs concerning the French king and the Indians might be dangerous, forbade any further issue.¹ It may well be too that the colonial government feared that such a publication would be resented by the authorities in England, and at such a time were specially anxious to avoid every cause of offense.

Fourteen years later a more successful attempt was made. John Campbell, a thriving Scotch bookseller, who had bettered himself by a rich marriage and by obtaining the office of post-master, issued a weekly paper entitled the *Boston Newsletter*, made up of extracts from the English papers, scraps of news from Boston itself and from the other American seaports, and a few advertisements.² For many years before the lack of printed newspapers had been made up for, as in the country towns in England, by manuscript newsletters from London. This indeed was one of the features which marked most emphatically the change from the New England of the Commonwealth to the New England of the Revolution. The letters and diaries that are extant show how little the men of Winthrop's generation troubled themselves about English affairs, save so far as they bore on the politics of New England. The collection of newsletters preserved among the Mather Papers shows us that a citizen of Boston might know almost as much of affairs in London, of debates in Parliament, of the progress of the plague, of the prospects of the rebels in Scotland, as could be learnt at a coffee house in Fleet Street.

The influences which were transforming Boston had scarcely made themselves felt in the smaller New England colonies. Orthodoxy, threatened in Boston and at Harvard, had found a refuge for herself in Connecticut. In 1698 the clergy of Connecticut had decided on establishing

Establishment of a college in Connecticut.

¹ Sewall, vol. I. pp. 332-3.

² For an account of Campbell's paper see Thomas, vol. II. pp. 12-14. The British Museum does not possess any early numbers of it. Two are among the *Colonial Papers*, one a single sheet, the other expanded by a quantity of European news and a speech of Lord Cornbury's to six pages.

³ Trumbull gives a very full account of the establishment of the college in Connecticut (vol. I. ch. xix.; and vol. II. ch. I.). Quincy also deals with it from the Massachusetts side (vol. I. ch. x.).

a college within their own colony. There were various motives at work which urged them to become independent of Harvard. Though something had been done to lighten the difficulties of communication, yet a journey from Hartford to Boston was still no small matter. The education of the best born and wealthiest citizens outside the colony took out capital which might be better spent at home. But we may be sure that the desire to keep those to whom the spiritual life of the colony was intrusted free from the new theological ideas and the new influences, social, moral, and political, which were at work in Massachusetts was the uppermost motive. We may be sure that this was so since the scheme received support outside the colony from the representatives of the old orthodox school of Puritanism, such as Sewall.¹ The constitution of the college was a guarantee for its orthodoxy; we may indeed go further and say, for its peculiarly clerical character. Ten ministers were, with the approval of the contributors and those interested, constituted trustees. A library was formed. That it contained but forty volumes speaks ill either for the wealth or for the liberality of the founders. A petition was then addressed to the legislature asking for a charter. The purpose of the foundation was clearly set forth in the opening sentence of the petition. It was to uphold the Protestant religion by a succession of learned and orthodox men.

The legislature complied thoroughly with the spirit of the petition. It incorporated the college, granting it all necessary powers and placing it under the government of a body of trustees which might vary from seven to eleven.² All must be ministers and over the age of forty. An annual grant of a hundred and twenty pounds was to be made out of the public funds.

The governing body thus appointed proceeded to choose a site for the College. This seems to have been a matter of some little difficulty. The choice at first fell upon Saybrook. But no building was done there. It seems to have been understood from the outset that the settlement there should be only provisional, and the college while there was housed by the liberality of

¹ Trumbull (vol. i. p. 474) expressly states that the charter of the college was drafted by Sewall and another leading man at Boston, Addington, the Secretary to the General Court. I cannot find any reference to it in Sewall's Diary. But he was not a man to dwell on what he would have considered his own good deeds.

² The Act of Incorporation is in the Records (vol. iv. p. 363).

a private person. Eighteen years after its foundation the college found its abiding home at Newhaven. At the same time the bounty of its chief benefactor, Elihu Yale, gave it a name.

The orthodoxy of the new foundation was assured, not merely by the composition of the governing body, but also by the prescribed course of studies. The rector was practically to act as a professor of divinity, and was not to teach any system but that approved by the trustees. The catechism sanctioned by the Congregational Assembly and the theological writings of Ames, one of the chief lights of Independency, were to be the staple subjects of education. In close adhesion to established congregational practice it was prescribed that the Scripture should be read every morning and evening, "except on the Sabbath." Thus any semblance of concession to Anglican usage was avoided.

To Connecticut the establishment of the college must have been a mixture of gain and loss. It must have brought academic education within the reach of those to whom it would have been otherwise denied. On the other hand, it cut off the clergy of Connecticut from those liberalizing influences which were gradually asserting their sway over Harvard. The influence of the new foundation was not confined to the colony in which it had its home. The orthodox party in Massachusetts, as they had sympathized with its foundation, so too they showed a disposition to favor it at the expense of Harvard. Cotton Mather's conduct in this matter illustrates the weakest points in his character, his petulance and vanity, and the self-deceiving habit by which he could always justify their promptings on the score of public spirit. We find him striving to the utmost to divert the tide of private benefactions from the foundation which had rejected him and slighted his father, to the "dear infant, Yale."¹

Yet this rivalry was not without its advantages to Harvard and to Massachusetts. Yale served as a safety-valve for that orthodoxy which might otherwise have cramped the expanding energies of Harvard. Her claims on the loyalty and gratitude of Massachusetts were too real and too fully recognized to be placed in any danger by a younger rival.

Meanwhile, the legislature of Connecticut were doing their best to place the primary education of the colony on a level with

¹ Quincy, vol. i. p. 229.

that of Massachusetts. In 1689 an order of Court set forth that many servants and children could not read, and made the grand jury responsible for the future for amending this.¹ Four years later more definite measures were taken, by establishing grammar schools at Hartford, Newhaven, New London, and Fairfield. Each was to be helped by a grant from the colony, Hartford and Newhaven of thirty pounds each, the other two of twenty. It would seem however as if this failed to take effect, since four years later the order for the establishment of the four schools was renewed. At the same time it was enacted that there should be in all the other towns of the colony schools for reading and writing, to be maintained by a county rate. Where the town contained more than seventy families the school was to be open all the year, otherwise for six months.²

In 1709, Connecticut had its first printing-press. This was set up at New London by one Short, of Boston. He offered to print the public Acts and proceedings of the colony for a fixed payment of fifty pounds a year. This was accepted with the stipulation that Short should set up a printing-press within the colony. In the following year the press produced the literary first-fruits of the colony in the shape of "A Platform of Church Discipline." For many years the productions of the Connecticut press were confined to official documents, sermons, and theological pamphlets. Nothing could mark more emphatically the difference between the older and the younger colony than this total absence of secular literature.

Yet in another and equally important matter Connecticut kept in advance of her parent. While the control of public affairs at Boston was more and more passing into the hands of English officials, the system of local government in Connecticut was not merely holding its own, but growing in vigor and importance. The records of the colony between 1690 and 1710 are full of entries which show that a tendency to entrust each township with the control of its own affairs was steadily increasing. The Selectmen of the town are made responsible for the payment of the ministry.⁴ They are to provide quarantine in case of infectious sickness.⁵ They are to be

¹ Connect. Records, vol. iv. p. 30.

² *Id.* vol. v. p. 69; cf. Thomas, vol. i. pp. 184-6.

⁴ Connect. Records, vol. iv. p. 389.

³ *Id.* p. 97.

⁵ *Id.* p. 374.

responsible for weights and measures.¹ In one case they are to make a highway between certain points specified by the Assembly.²

Even more significant is the extent to which the military affairs of the colony were left to the individual townships. Each township was responsible, not only for its own fortifications,³ but also for the raising and equipment of its own contingent for service outside the colony. With the Selectmen lay the responsibility of impressing recruits and of seeing that they were duly provided with belts, knapsacks, and snow-shoes.⁴

Immediately after the Revolution the conditions of citizenship in Connecticut were much enlarged by an Act conferring the franchise on all adults of peaceable, orderly, and good conversation, with a freehold of forty shillings a year.⁵ In October 1698 a constitutional change was made, of the meaning and origin of which one would gladly know more than is recorded. Hitherto the Council and Assembly had sat and voted together. Now by their own joint vote they were constituted two separate chambers.⁶ Here one feels the want of a historian such as Winthrop or Bradford, even of a diarist such as Sewall. Such writers, even if they had not set forth the precise object and cause of the change, would have given one a clue to its meaning. In the absence of such evidence one must be content to record the mere fact, and refrain from speculating on the conditions which brought it about.

If Connecticut lagged behind in mental culture as compared with Massachusetts, the gap was still wider which separated Rhode Island from its neighbors. Considering the relations between that colony and her older neighbors, it is hardly likely that she should have benefited either by Harvard or by the younger foundation in Connecticut. The records of Newport show that there was in 1710 an elementary school in that town, and that provision was being made for the establishment of a school where Latin might be taught.⁷ But whatever means of education the other towns had, was left to private and voluntary effort, and was in no way furthered, nor even recognized, by the legislature.

In 1708 a printing-press was set up on the same conditions as

¹ *Connect. Records*, vol. v. p. 329.

⁴ *Id.* pp. 455, 464.

⁶ *Id.* p. 21.

² *Id.* 351.

⁶ *Id.* p. 282.

³ *Id.* vol. iv. p. 455.

⁷ *Arnold*, vol. ii. p. 42.

in Connecticut. Bradford, the son of a New York printer, contracted to print all public documents for fifty pounds a year.¹ But whereas in Connecticut the press found enough employment from private persons to supplement its official work, in Rhode Island such support was wholly wanting, and the scheme was given up. Roger Williams had not imbued his colony with any tincture of his own literary tastes or powers. Except for his labors, even the literature of sermons and pamphlets, so copiously poured forth in Massachusetts, seems to have been unknown in Rhode Island.²

The material prosperity of New England at the end of the century is less easily measured than it was fifty years earlier.

Material condition of New England. This is partly from its increased complexity. The industry and trade of the country, its productions and its exports, can no longer be summed up as they were by Johnson and Maverick. In the early days each step is some definite event, the settlement of a new township, the production or the exportation of a new commodity. Later on we have to do with the growth of existing townships and existing trades, matters far harder to be traced definitely.

Dudley, in a report to the Board of Trade, estimated in a somewhat conjectural fashion the population of Massachusetts in 1702 at fifty thousand.³ A well-informed citizen of Massachusetts of one generation later reckoned that towards the end of the seventeenth century his own colony had increased in population at less than half of the rate of Connecticut and Rhode Island.⁴ The desertion of the frontier towns through the Indian war and the total check of migration towards the North-East would go far to explain this. The Assembly of Massachusetts found it necessary to check this process of depopulation by special legislation. An Act was passed in 1694 enumerating eleven towns, none of which might be broken up or voluntarily deserted without leave of the Governor and Council.⁵

¹ R. I. Records, vol. iv. p. 65.

² Callender's *Historical Discourse*, a sketch of the history of Rhode Island, published in 1739, seems to have been the first book written by a Rhode Islander after Roger Williams. This was printed in Boston. So also was Williams's attack on the Quakers, *George Fox Dugged out of his Burrows*. Williams's other pamphlets were printed in London.

³ Dudley's report is in the *Colonial Papers*, Board of Trade, N. E. No. 14. The report was written in 1709, but it refers to the time of Dudley's arrival. He reckons that for every able-bodied male there were five inhabitants.

⁴ Hutchinson, vol. ii. p. 201

⁵ Acts and Resolves, vol. i. p. 194.

Nor was this all. By the same Act every inhabitant of these towns was dealt with as a member of a garrison, bound to remain at his post. He could not be released from that obligation even by the town itself in its corporate capacity. If a freeholder forsook the town without leave from the Governor or Council he forfeited his freehold. If he were a townsman, not a freeholder, but fit for military service, he was fined ten pounds. In each case the proceeds were to be applied to the defense of the town. In 1700 this was re-enacted with the addition of seven more towns.¹ At the same time the comparative security of Connecticut, and still more of Rhode Island, made them a tempting refuge for stragglers from Massachusetts. The dispatches of Dudley repeatedly mention the injury which was thus inflicted on the general interest of the whole body of colonies.

The records of Connecticut show that in 1700 it contained close upon three thousand six hundred freemen.² We shall probably not be far wrong if we suppose that of these two-thirds were householders, and that each householder represented on an average eight persons. This would bring the whole number of inhabitants to something between twenty and twenty-five thousand. In the case of Rhode Island we have more definite information. A census of that colony was taken in 1708. This showed the whole number of inhabitants at something over seven thousand.³ Of these a little over a thousand were freemen and twelve hundred and sixty-two were capable of bearing arms.

The same report in which Dudley gives the population of Massachusetts furnishes us with valuable statistics as to the trade.

Trade. The colony employs some two hundred ships, of which twenty are over a hundred tons burden and sixty more over fifty. The total export of fish is estimated at thirty-four thousand pounds value.

The most striking part perhaps of Dunton's description of Boston is not what he says, but what he passes over. A foppish Londoner, as Dunton was, would have been struck
 General condition of Boston. with any marked deviations from those comforts and refinements to which he was accustomed at home. His actual description of the place is worthless, since with characteristic dishonesty he contented himself with copying Joscelyn. But his

¹ Acts and Resolves, vol. I. p. 402.

² Connect. Records, vol. IV. p. 329.

³ The census is in the Records (vol. IV. p. 59).

references to the social life which he found about him show that he felt no marked change from that to which he was accustomed. In one respect indeed Boston still retained the outward appearance of its early colonial days. One may infer from Joscelyn's description that stone houses were frequent, yet as late as 1692 it was necessary to enact as a safeguard against fire that no house in Boston more than eight feet long or seven high should be built of wood, and the preamble set forth that most of the houses in the town were timber covered with shingle.¹

Connecticut had lagged behind Massachusetts almost as much in mechanical skill as in education and literature. The whole trading navy of the colony was not more than thirty vessels, manned by a hundred and twenty men in all.² A colony which had but one clothing mill, and that of the roughest kind, must have been badly off for the refinements and luxuries of life.³ Yet, if there was a lack of these, there was rude plenty and prosperity. A public debt of thirty-three thousand five hundred pounds, contracted in 1709, was in four years reduced to twenty thousand pounds.⁴ The social condition of the colony is perhaps best learnt from the description of Mrs. Knight, the Boston schoolmistress, who traveled through it on horseback.⁵ She contrasts the poverty of the towns with the beauty of Boston and New York. She complains of rough roads without bridges, of squalid country inns, and of farm houses where the master and the slaves fed at one table. Her complaints are in fact much those which the wife of a London merchant at that day would have made if she had gone to visit her kinsfolk in Yorkshire or Devonshire. But the traveler admits that it is a country where the industrious can never want.

In all the refinements of life Rhode Island was probably far behind even Connecticut. The ecclesiastical and intellectual connection between Connecticut and Massachusetts brought the former colony in some measure under those same influences which were at work in Boston. In Rhode Island these must have been wholly absent. There was in all likelihood little actual change in the appearance of the colony since 1680, when Governor Sanford had described the towns as

¹ Acts and Resolves, vol. i. p. 42.

² See above, p. 35.

⁴ *Id.* p. 450.

³ Trumbull, vol. i. p. 451.

⁵ *Id.* p. 1, 2.

consisting mainly of timber houses. Yet the naval resources of the colony kept her prosperous. Seamanship was encouraged alike by the economical condition of the country and by the formation of the coast. By the beginning of the eighteenth century all the soil of the colony was exhausted.¹ The adventurous settler, who in Massachusetts would have joined one of the new settlements on the upper Connecticut or set up a sawmill on the Piscataqua, took to the sea. In the twenty years which followed the Revolution the shipping trade of the colony increased sixfold. The goods yearly exported to Boston to be reshipped for the English market were estimated at twenty thousand pounds.² That however was but a part, probably a small part, of the trade of the colony. The coast was one continuous line of navigable creeks and natural harbors. On the one hand this exposed Rhode Island beyond all the other American colonies to the attacks of French privateers. Twice during King William's war were the settlers of Block Island attacked and their homes harried, and two other attempts were defeated, one by a king's ship, the other by the resolute defense of the local militia.³ Against such attacks the Rhode Islanders could only defend themselves on the sea itself. In 1702 a privateer was commissioned for a two months' cruise against the French in the Gulf of St. Lawrence, and within that time she returned with three prizes, all armed merchantmen, ranging from three hundred to one hundred and sixty tons burden.⁴ The character of the coast and the need for evading French privateers led to the building of light fast-sailing vessels. Such a system of navigation was the best school for skillful and fearless seamen. What it did for the colony is well illustrated by the events of 1706. A sloop was captured by a French privateer off Block Island. In little more than twenty-four hours two vessels were fitted out, manned by a

¹ This is expressly stated by Crampton, the Governor of the colony, in a report sent home in 1708 (R. I. Records, vol. iv. p. 38). He speaks in the same report of the inclination, the youth of Rhode Island have for the sea.

² *Id.*

³ All these attacks are described by Niles in that portion of his history which is published in the third series of the *Massachusetts Historical Collection* (vol. vi. pp. 263-74). Niles was a native of Block Island, born in 1674. He was himself taken prisoner in one of these French raids. His account is at times rather confusing, but as a whole very graphic and vastly superior to any other part of his work.

⁴ These captures gave rise to a dispute, to which I shall refer hereafter, between Dudley and the government of Rhode Island. The details of the whole affair may be learnt from the correspondence which ensued.

hundred and twenty volunteers, the sloop was rescued and the privateer was a prize in Newport harbor.¹

This state of things no doubt brought with it serious drawbacks. We have seen how almost the whole community became infected by complicity with pirates. The kind of seamanship in which the Rhode Islanders excelled, aided by the natural resources of the coast, enabled them to defy the Navigation Act and to trade direct in prohibited commodities with Madeira and the Spanish colonies.²

In 1701 the legislature made a definite attempt to check the contraband trade. An Act was passed ordering that all merchant captains should report their cargoes to the Governor or Deputy-Governor before landing them.³ The subsequent complaints of English officials, exaggerated though they may have been, make it clear that this Act did not annihilate the contraband trade. But it no doubt did something to increase the dangers and difficulties of the business, to lessen its profits, and to avert the need of direct control by the Crown. Of all the evils which smuggling in Rhode Island brought in its train, that was the greatest. If once the English government began the process of interference the charter of the colony was almost inevitably doomed.

The growing external commerce of New England had one important effect. It seems, by introducing a sufficient supply of ^{Increased supply of} money, to have swept away, or at least greatly lessened ^{coin.} the clumsy system of barter. The silence of Dunton may be taken as evidence that the practice of Massachusetts now agreed with that of the mother country, and this is confirmed by the absence of any Acts for the regulation of prices. Moreover, since Mrs. Knight in her journey through Connecticut noticed barter as a peculiarity, we may safely infer that a like system no longer existed in her own colony.⁴ Though Connecticut retained the old system, yet it is plain that by the end of the century coin was becoming plentiful, since in 1698 it was enacted that all taxes should be paid in silver.⁵ Henceforth we find several instances where current silver money is required for the payment

¹ This affair is described in a report from the Governor and Council to the Board of Trade (R. I. Records, vol. iii. p. 560).

² The official documents of the time are full of references to the contraband trade of Rhode Island.

³ R. I. Records, vol. iii. p. 437.

⁴ See above, p. 36.

⁵ Connect. Records, vol. iv. p. 267

of public dues. At the same time there is at least one instance where payment in kind is allowed.¹

The records of Rhode Island only show that as late as 1702 in the payment of public dues commodities were taken at a fixed rate.² In all three colonies the lack of specie was in part got over by an issue of paper money. The prosperity of Connecticut allowed the government to adopt this expedient with impunity. We have already seen its evil consequences in Massachusetts. In Rhode Island it entangled the government in prolonged difficulties.

The chief industrial change which came over New England during the latter part of the seventeenth century was the increase of negro slavery. There is no direct evidence of the number of black slaves. Towards the end of the eighteenth century a number of the most eminent antiquaries in New England took part in an inquiry as to slavery in Massachusetts. None of them could furnish any definite statistics as to the extent of slaveholding or the nature and conditions of the slave trade at the beginning of the century.³

But though exact statistics are wanting there is convincing evidence of the increase of the system. The records of each colony show that special legislation was needed for the black population. In 1703 an Act was passed by the Assembly of Massachusetts, directed probably against the carelessness or even the parsimony of slave owners, rather than their liberality, forbidding any person to set a negro free without giving sufficient security to the treasurer of the town that he should not become chargeable.⁴ In the same year it was enacted that no slave, whether Indian, negro, or mulatto, might be out in the night except on some special errand. Any infringement of this law was to be punished by flogging.⁵

Two years later an Act was passed, similar to those in force in the Southern States, for preventing marriages or illicit unions between the English and the negro races. The Act was entitled one for the preventing of a spurious and mixed blood.⁶ It is to

¹ Connect. Records, vol. iv. p. 398.

² R. I. Records, vol. III. p. 451.

³ The results of this inquiry are published among the *Bolton Papers*, in the third volume of the fifth series of the *Massachusetts Historical Collection*.

⁴ Acts and Resolves, vol. i. p. 519.

⁵ *Id.* p. 535.

⁶ *Id.* vol. i. p. 578.

be noticed that the prohibitory clauses throughout deal, not with slaves as such, but with negroes. It was not the servile status, but the degraded race, against which the law was directed. No Christian was to marry a negro or a mulatto, and any minister solemnizing such a marriage was to be fined fifty pounds. If a negro had intercourse with a white woman both were to be flogged and the man banished. In the case of a white man and a negress he was to be flogged and she sold as a slave. As some set off it was ordered that no slave master might deny his negro marriage with one of his own race, any law, usage, or custom to the contrary notwithstanding. The distinction of race was further marked by a clause providing that a negro who assaulted a white man should be flogged. In the same way an Act passed two years later marked the fact that the negro and the mulatto could only enjoy imperfect civic rights.¹ No free negro or mulatto might harbor a slave without leave of the master, and the Selectmen of any town might impress a free negro or mulatto for such work as mending highways or sweeping streets, under pain of a fine for disobedience.

At the same time the legislature showed its anxiety to limit the importation of negroes. A clause was inserted in the Act of 1705 imposing a duty of four pounds on every negro imported. In the case of a slave re-exported within a year this could be recovered. The legislature showed itself still more anxious to prevent the introduction of Indian slaves. Cargoes of these were brought to Boston, captured in all likelihood in the war in South Carolina. In 1712 an Act was passed to put a stop to this traffic.² The preamble set forth that the Indians were "malicious, surly, and revengeful;" that the industry of the colony was wholly unlike that of the West Indies; that with savage enemies at hand it was dangerous to have bondsmen of a kindred race; and that the influx of slaves discouraged the importation of English servants. Accordingly the trade in Indians was definitely prohibited by enacting that if any Indian were imported he should be forfeited to the Crown unless the importer found security, fifty pounds for each Indian, that he should be re-exported within a month. To secure the execution of this law all imported Indians were to be registered, each under a penalty of fifty pounds for omission.

¹ Acts and Resolves, vol. I. p. 606.

² *Id.* p. 698.

In Connecticut we find legislation of a like sort, though less extensive and less stringent. In 1708 it was enacted that, whereas
 Slavery in negroes and mulattoes had become numerous in some
 Connec- parts of the colony, and were apt to become turbulent
 ticut. and quarrelsome, any such striking a white man might be flogged at the order of a magistrate, receiving not more than thirty stripes.¹

Three years later it was enacted that, in the event of any emancipated slave coming to want, his former master should be bound to maintain him.²

In 1680 the Governor of Rhode Island, in reporting on the condition of his colony, described it as containing a few imported
 Slavery in blacks. In 1708 the number, according to the census,
 Rhode was four hundred and twenty-six, rather more than a
 Island. twentieth of the whole population. Indian slaves were excluded by an Act passed in 1704, rigidly forbidding their sale and ordering that all previously imported should be sent out again.³ In the same year special measures of police were adopted against both races, by providing that neither an Indian nor a negro might be out in the streets or entertained in any house after nine at night.⁴

The main influence which kept slavery out of New England was no doubt the unfitness of the climate and soil for servile industry. Yet it would be unfair to deny the existence
 Sewall on slavery. of higher motives. As we have seen, the legislature of Massachusetts showed a perception, if not of the moral iniquity of slavery, at least of its social and economical mischief. If Massachusetts, like her sister colonies, by her formal and collective voice acquiesced in slavery, she might at least claim that one of her chief citizens was among the first, one may almost say was the first, to raise his voice, not against the corruptions and abuses of slavery, but against the very institution.

In 1700 Sewall attacked the whole system in a pamphlet entitled *The Selling of Joseph*.⁵ Baxter and Goodwyn might remind the slaveholder of his responsibilities, with denunciatory warnings against his too frequent neglect of them.⁶ Sewall went

¹ Connect. Records, vol. v. p. 52.

² R. I. Records, vol. iii. p. 482.

³ It is republished in the *Proceedings of the Massachusetts Historical Society for 1863-4*, p. 161.

⁴ *Ib.* p. 233.

⁵ *Ib.* vol. iii. p. 492.

⁶ See *Virginia*, etc., p. 382.

further. His attack was directed, not against the abuse of the relations between master and slave, but against the existence of those relations.

His condemnation rests on three grounds. Slavery is against the law of nature established by God. It is by implication condemned in Scripture, since the Bible recognizes all men, of whatever race and color, as the co-heirs of Adam. Sewall further points out emphatically the economical and political dangers of the system. The worst of those evils he could only foresee. Yet few of those who at a later day saw them in full action understood them more clearly and denounced them more resolutely. Sewall points out the contaminating social influence of a population with whom the ordinary restraints of domestic morality do not exist; how the slave-master is sure to be deteriorated by his connivance at the misdeeds of the slave. Nor can the evil be undone by emancipation. The freed negro cannot use his liberty well nor become a good citizen. "There is such a disparity in their condition that they can never embody with us nor grow up into orderly families to the peopling of the land, but still remain in our body politic as a kind of extravasate blood."

Sewall brushes away the sophistries which then as now were used by the apologists of slavery. It is said that the posterity of Ham are accursed and doomed to bondage. What proof is there that the negro is descended from Ham? And even if the suffering be inflicted by the judgment of God, that does not palliate the guilt of those who voluntarily make themselves the instruments of such judgment. It is said that the slave becomes so because he is a prisoner of war. Is not there then a great danger that the slave trade will encourage unjust and cruel wars? The buyer, Sewall points out, cannot divest himself of this responsibility. On him lies the guilt of breaking up families, of all the sufferings of captivity and of transport.

Sewall meets the plea that the negro is Christianized in his bondage by reminding his readers that evil may not be done that good may come of it. The good wrought by Joseph in Egypt did not justify his brethren.

Nothing in all Sewall's pamphlet shows more clearly how he had freed himself from the narrowness of earlier Puritanism than his final argument. Christians, he says, live under a new dispen-

sation, and precedents drawn from the Old Testament are inadequate. There is no longer one moral law in dealing with our fellow countrymen, another in dealing with foreigners. All mankind are now God's chosen people. "Christians should carry it to all the world as the Israelites were to carry it one towards another."

To divide the history of a country into epochs, each with its own distinguishing characteristics, is a perilous system, likely to end in sacrificing truth to a semblance of symmetry. We can only adopt it with safety if we regard it as giving a convenient approximation to the truth. From that point of view we may say that, while the history of New England down to the Revolution deals mainly with internal growth and development, from that time onward the main feature is the process of administration by the English government.

In the case of Massachusetts we have already seen the beginning of that process. There the great struggle turned on the question of the Governor's salary, a matter important in itself, and made more so, because each party tacitly accepted it as a test question.

The position of Connecticut and Rhode Island placed them, in theory at least, beyond the possibility of interference. The character of each colony left the Crown no loophole for exercising direct control except by actually invalidating, or at least impairing the legal rights which had been granted. Thus the very completeness of the rights of each colony was in itself a source of danger. For practically it was impossible that either colony should be allowed to retain what was virtually a position of independence. Cases must arise where the jurisdiction of the Crown would be invoked, and where the need would arise for some general administrative control.

As we have seen, a bill brought in to this end in 1701 fell through, owing to the death of William.¹ The attack was soon

¹ I cannot but think that Trumbull is in error in his account of what followed. According to him, the bill or a similar one was again brought forward, and the government of Connecticut was allowed to oppose it by counsel. I can find no record of such a proceeding in the Parliamentary journals. I suspect that Trumbull has confused the proceedings in Parliament before the death of William with later proceedings before the Privy Council. So far as

renewed. The assailants of the colonial charter had a vantage ground from which to work. In 1694 the law officers of the Crown had declared that the sovereign might annul a charter government in case of emergency, and without special proof that the privileges conferred had been misused.¹ It would be no hard task for the enemies of the colonies to show that some general system of control was expedient for military and for administrative purposes. That doctrine fell in too well with the ambition of Dudley to be now overlooked. By its aid he might induce Anne to repeat the experiment of her father, and to consolidate the northern colonies under a single Governor. The precedent of Andros's government could not be carried out in full. The Queen's cousin, Lord Cornbury, was now Governor of New York, and Dudley had the wit to see that it was better to have him for an ally than for a competitor. But a province extending from Pemaquid to the Housatonic was a prize large enough to be worth an effort. And though personal ambition, even personal cupidity, may have gone for much with Dudley in this matter, we may fairly believe that other motives were at work, motives which would even have been creditable in an English official, though not in a renegade New Englander. Dudley was clear-sighted enough to perceive that the local liberties of the colonists were a bar to vigorous and united action against the French; the compensating advantages of those liberties had for him no meaning.

Dudley's first move was directed against Rhode Island. Simultaneously with his governorship he had been appointed Vice-Admiral of that colony and commander of the militia. His exercise of authority at once embroiled him with the government. When Dudley visited Newport and demanded to take command of the militia, the Governor pointed out that the application was inconsistent with the charter, and referred the matter to the Assembly. That body supported the Governor in his refusal, and appointed a committee to take the steps necessary for the defense of the charter.² Even more serious

Rhode Island is concerned, Mr. Arnold's account of what followed is accurate and fairly clear, though I cannot help thinking that it would have been clearer if he had tied himself less strictly by chronological order. I have throughout verified his statements by references to the *Colonial Papers* from which they are derived.

¹ The opinion was given in reference to Pennsylvania. It is cited in a report referred to below (p. 393).

² R. I. Records, vol. iii. p. 459.

was the conflict caused by Dudley's appointment as Vice-Admiral. Heedless of his authority, Cranston continued to issue commissions to privateers, while the local courts claimed jurisdiction over prizes. Dudley wrote to the Board of Trade denouncing the refractory colony as a scandal to the Queen's government, and the Board so far listened to his complaint as to suggest to the Privy Council that the Queen should overrule the charter and appointed Dudley Governor of Rhode Island.¹

At the same time Dudley was making a like attack on Connecticut. That colony too was charged with harboring pirates, and more especially with receiving deserters and refusing to bear its share in the operations against Canada.

It was furthermore contended that the charter of the colony gave no right to exercise criminal jurisdiction, as was habitually done. It was significant of the spirit and purpose of Dudley's policy that he laid before the home government the manuscript of Gershom Bulkeley's pamphlet, one of the most elaborate of the attacks on New England made at the time of Andros's overthrow.²

Dudley was not the only assailant whom the chartered colonies had to fear. Cornbury, the Governor of New York, was a man less dangerous than Dudley, but of a meaner stamp, with far less administrative power, and more personal rapacity. He seemingly thought that the overthrow of the charters of Connecticut and Rhode Island might accrue to his benefit, and that those colonies might be incorporated with his own province. Moreover, each had displeased him by refusing his arbitrary demand of a subsidy towards the defense of New York.³ Accordingly, we find him in his dispatches denouncing Connecticut as "a nest of thieves, peopled by the spawn of rebellion," a refuge for deserters and fraudulent debtors. His attack however is not all mere wild invective. He appeals to that com-

¹ *Colonial Papers*, Board of Trade, Proprieties, No. 28.
² Trumbull says, "Dudley employed one Bulkley to write against the government." This is not strictly true, inasmuch as it was written about 1690. The MS. however is among those State Papers which concern the attacks on the charters of Connecticut and Rhode Island. Its position there clearly shows how Dudley made use of it. Ashurst also, in a letter quoted by Mr. Palfrey (vol. iv. p. 367, n.), says that Bulkley had sent the pamphlet to England "all by Mr. Dudley's contrivance."
³ His demand on Rhode Island is stated in the R. I. Records (vol. iii. p. 468). That on Connecticut is referred to in the Records of that colony (vol. iv. p. 428). Trumbull mentions the specific sum required from Connecticut as four hundred and fifty pounds.

mercial jealousy which was the dominant principle of English foreign policy. The settlers in Connecticut are beginning to set up woollen manufactures, "which, if allowed, will soon appear to be a mighty prejudice to the consumption of the manufacture of England, which I hope England will never allow of."¹

Though Dudley and Cornbury had different objects in view, and would in all likelihood have fallen out over their success, yet for the present they were able to unite in a policy of attack. They were aided by the attitude of certain discontented citizens within Connecticut. In 1659 Mason, the conqueror of the Pequods, had acquired certain lands by contract with Uncas and another Mohican chief, Wawequa. This land Mason formally surrendered to the colony, reserving certain rights of settlement to himself, and also to the Mohicans. Each successive stage of this transaction seems to have left room for dispute. According to the descendants of Uncas, the transaction between Mason and their ancestor was not a sale, but rather, to borrow the language of feudal law, a commendation. The Indian chief, knowing that "the English were a people some of whom were full of craft and guile and some others abounded with wisdom and probity," made over his land to "his brave and constant companion in battle," as a trust.² The evidence goes to show that this was so far true that Uncas had sold a part of his land for a valuable consideration, but had arranged that a part should be so settled on his descendants that no alienation of it should be valid. It would also seem as if Uncas had endeavored to ignore the sale to Mason, and to resell the same land to other purchasers. Nor does it clearly appear whether Mason, when he acquired these lands, was acting on behalf of the colony. Moreover, the rights reserved under the surrender from Mason were set forth obscurely. The instrument said, "For the laying out of those lands to farms or plantations the Court doth leave it

Disputes
about the
Mohican
lands.³

¹ *Colonial Papers*, Board of Trade, Proprieties, No. 8, 1705, Feb.

² Trumbull describes these proceedings very fully. The documents bearing on the case were copied into a single manuscript volume in 1743. It is entitled "The Governor and Company of Connecticut v. Mohegan Indians and their Guardians. Certified Copy of Book of Proceedings before Commissioners of Review, 1743." It forms No. 17 of the Proprieties Papers in the Board of Trade series. According to Mr. Palfrey, it was printed in 1769. I have not been able to find the printed version. I have no doubt that Trumbull had it before him when he wrote. Curiously, I have found in it what I had hitherto searched for in vain, the articles of the Treaty of Hartford in 1638 (see vol. I. p. 238).

³ Book of Proceedings, p. 133.

in the hands of Major Mason." The vendors and their successors were also to be allowed planting ground "as the Court should see cause." The first clause would seem to mean that the Court was to have jurisdiction over the territory, but that the ownership was to be in Mason. How far Mason's rights were to descend to his representatives is not specified.

So vague a transaction was almost certain to lead to disputes. It practically created three sets of claimants; namely, the colonial government, the representatives of Mason, and the representatives of Uncas. In 1704 the two last-named made common cause, and appealed for protection to the Crown. The Queen so far interfered as to grant a special Commission to inquire into and decide the case. Dudley was head of the Commission, and the verdict was unfavorable to Connecticut. The colonists appealed, and a dispute ensued, not settled till the reign of George the Third.

The establishment of an alien jurisdiction was beyond doubt an encroachment on the chartered rights of the colony. Yet it might fairly be asked, was the English government to look on quietly while its own subjects wronged the lawful owners of the soil?

The attacks of Cornbury and Dudley met with a favorable hearing. In 1704 the Board of Trade had obtained from the law officers of the Crown an opinion that it was within the power of the sovereign to appoint Governors in the chartered colonies.¹ In January 1706 the Board reported to the Privy Council in favor of such a measure.² The chartered colonies, they said, neglected defense and sheltered malefactors from the Crown colonies; they commissioned privateers and refused to acknowledge the jurisdiction of the sovereign over the militia and the Admiralty Courts. There was furthermore a significant clause in the report, showing that the attacks of Dudley and Cornbury were not the only influences at work. The colonies encouraged woollen and other manufactures proper to England. The desire to enforce law and order within the colonies, and to establish a uniform and effective system of defense against Canada, the cupidity of placemen or adventurers, these motives, good and evil, might influence men in America. But

¹ *Colonial Papers*, Board of Trade, Proprieties, No. 7, 1704, Nov. 16.

² *Colonial Papers*, Board of Trade, Proprieties, No. 8, 1706, Feb. 7.

with English statesmen it was the exclusiveness of commercial rivalry which, more than any other one motive, led them to look with suspicion on colonial claims to independence.

It was perhaps fortunate for the two colonies that the attack fell upon them together. The result was to enlist two separate and, Penn's as they might otherwise have been, opposed, sets of advocacy. defenders. The liberality of Rhode Island in earlier days now met with its reward. Penn was by this time restored to influence at the court of Anne, and his voice necessarily carried weight in all colonial matters. The dealings of New England with his brethren had not been such as to make him eager for the maintenance of its liberties. But though Connecticut had not wholly avoided persecution, yet she had fallen far short of the guilt of Massachusetts, while Rhode Island had gained a just claim to the gratitude of the Quakers. In 1702 the Assembly of Rhode Island secured the services of Penn as their spokesman in England.¹

There were special reasons which made his advocacy valuable at this juncture. Certain Quakers were making common cause with the enemies of Connecticut. In a petition to the Queen they called attention to a law passed by the legislature of the colony for the exclusion of Quakers and other heretics.² Ashurst, who was now acting on behalf of the colony, sought to show that the law was only designed against Adamites and Ranters, and that Quakers now enjoyed as much security and freedom of worship as any other inhabitants.³ In spite of the defense the Queen took the exceptional step of repealing the law by an Order in Council.⁴ Such a measure was a violation of the charter privileges. Yet, though the charter left no right of such interference to the Crown, it was probably better for the colony that such a right should be unconstitutionally exercised. If on the one hand such dispensing power was liable to abuse, on the other hand it might be regarded as

¹ That Penn had been thus commissioned is stated in a letter from the Assembly of Rhode Island to Lord Nottingham, then Secretary of State, September 17, 1702 (*Colonial Papers*, Board of Trade, Proprieties, No. 7).

² Ashurst distinctly states that the law was passed in 1672. I can find no trace of it in the Records.

³ Ashurst's address on behalf of the colony is in the Journal of Board of Trade, No. 17, p. 360.

⁴ Journal of Board of Trade, No. 18, p. 102.

a safety-valve, removing all motive or pretext for annulling the charter.

Whatever may have been the value of Penn's advocacy on behalf of Rhode Island, it must have done at least as much to turn the attack upon Connecticut. For it must have been clear to all that the causes of the two colonies were bound up together, that to deal differently and yet fairly with them would need more detailed knowledge and nicer discrimination than were to be found among English politicians, and that justice and consistency, apparent, though perhaps not real, would demand like treatment for both offenders. Thus Penn and those in his confidence could not fail to see that any attack on Connecticut must imperil the liberties of Rhode Island.

That was not the only consideration which restrained the Quakers. According to Ashurst, they would never have troubled themselves about an obsolete and inoperative law unless Dudley had called their attention to it by having it printed and disseminated in Boston.¹ In any case, it was clear enough that the assailants of Connecticut would be playing Dudley's game for him. Happily for the threatened colony, he had already shown his real feeling towards the Quakers, and taught them that they would only be losers by placing him in power, since in dealing with Rhode Island he had specially denounced them as the instigators of resistance.²

On the other hand, it was no small gain for Rhode Island that she could put Connecticut in the forefront of the battle. That Rhode Island was a home of smugglers and a refuge for pirates was proved, not only by the denunciations of Bellomont and Dudley, but by the halting and apologetic defense of her own advocates. It is equally clear that no such charges could be made good against Connecticut; that the one plea for interference was military necessity, the difficulty of incorporating the colony in any common system of defense so long as she kept the independence granted by the charter.

In February, the matter came before the Privy Council. The details of the proceedings there are only known to us as told by Ashurst, the agent for Connecticut, to his clients.³ According

¹ This is stated by Ashurst in the above memorial.

² In a dispatch of September 17, 1708 (*Colonial Papers*, Board of Trade, N. E., No. 11).

³ Trumbull (vol. I. p. 424) gives an epitome of Ashurst's letter.

to his own account, he and his counsel obtained a complete forensic triumph over the assailants of the colony. That however is hardly borne out by the fact that the Privy Council immediately afterwards referred the matter to one of the Secretaries of State, to be brought before the notice of Parliament. In less than a week he reported that the House of Commons had given leave to bring in a bill relating to proprietary and charter governments, and that the bill had been drafted.

**Proceed-
ings before
the Privy
Council.**

There, as it would seem, the attack abruptly ended. It failed exactly as each successive attack on New England had failed, mainly for two reasons. The machinery by which England governed her colonies was too complex and too cumbrous to lend itself to a continuous policy, either for good or evil. New England was almost always served by the corrupt motives and disreputable antecedents of her opponents. Now, while the Board of Trade was memorializing the Privy Council, and the Privy Council was instructing a Secretary of State to set Parliament in motion, every mail that came home was discrediting Dudley and Cornbury by proofs of their unpopularity and suspicions of their corruption. Dudley, it is clear, accepted defeat, since we find him in 1707 acknowledging the help given him by Cranston and the Assembly of Rhode Island. They had sent an armed sloop with eighty men, very serviceable and obedient. Henceforth he hopes to maintain a good correspondence with that government.*

It is but natural that American historians should see in the defeat of Cornbury and Dudley only the triumph of their country's liberties. An Englishman may be forgiven if he looks at the matter otherwise; if he blames the assailants of New England, not for the unfulfilled mischief which they imagined, but rather for the possible good which they hindered. It is mere partisanship to deny that the evils which Dudley denounced were real. The worst of all, piracy, might be met without any radical change by mere vigorous administration. Smuggling indeed could only be checked if the home government would resolutely cast aside a narrow and selfish system, and refuse to sacrifice the colonist to the English merchant. Yet even if these difficulties could be overcome, there were others behind

Conclusion.

* *Colonial Papers*, Board of Trade, Proprieties, No. 8.

† *Colonial Papers*, Board of Trade, N. E., No. 13.

which needed some remedy beyond mere administrative reforms. The claim of the Crown to exercise control over the military and naval operations of the colonists might conflict with the charters. But who could doubt that it was needful if the frontiers were to be secured against French and Indian invasion? Nor could it be said with any show of reason that these were matters which concerned England, but in which the colonists had no direct interest. Boston was needful to the southern colonies alike as a market and as a naval station. An invasion of Massachusetts would imperil both the safety and the commercial prosperity of Connecticut and of Rhode Island.

Nor was it merely for defensive purposes that the colonies needed some system of central administration. If commerce was to extend between colony and colony, unless each was to be left dependent on its own productions and its own markets, there must be common tribunals, a common standard of coinage, common arrangements for transport. All these needed some central authority. Transport might have been left to the slower, though perhaps surer, action of private enterprise. Yet in those days such a policy would have seemed as extravagant to the colonists as it would have to English administrators. We see this by the readiness with which the project for a general Post Office was accepted. In 1710 an Act was passed establishing such an institution through the colonies, with branches in all the chief towns, including New London, Newport, and Boston, and with a tariff for the carriage of letters, varying according to distance.¹ The preamble of the Act declared that a weekly sum was to be set apart out of the revenues "for the service of the war and for other her Majesty's occasion." Only five years before the Assembly of Massachusetts had declared, in an address to the Queen, that it was "the native right and privilege of English subjects, by consent of Parliament, to raise and dispose of such sums as the present exigency of affairs calls for."² The establishment of the Post Office by Act of Parliament was a violation of that principle just as much as the Stamp Act was fifty-five years later. Yet no voice was raised against a scheme of such manifest convenience.

Only a system of administration conceived with wisdom and

¹ 9 Anne, c. 10.

² The address is in the *Colonial Papers*, (Board of Trade, N. E., No. 12). It is not dated, but is endorsed as received, Dec. 31, 1705.

APPENDIX.

APPENDIX C.

Infant mortality and early marriages in New England, pp. 5, 6.
 —The account of the following families, born in New England in the seventeenth century, will serve to illustrate this. I have taken the first four that offered themselves. The Cotton and Mather instances are taken from Savage's Genealogical Register of New England, the other from the Sewall Papers.

FAMILY OF JOHN COTTON.

Seaborn	.	.	.	b. 1633	m. 1654.
Sarah	.	.	.	b. 1635	d. (betrothed) 1650.
Eliza	.	.	.	b. 1637	m. 1655.
John	.	.	.	b. 1640	m. 1660.
Mary	.	.	.	b. 1642	m. 1663.
Rowland	.	.	.	b. 1643	d. 1650.

FAMILY OF INCREASE MATHER.

Cotton	.	.	.	b. 1663	m. 1686.
Maria	.	.	.	b. 1665	m. ?
Eliza	.	.	.	b. 1667	m. 1696.
Nathaniel	.	.	.	b. 1669	d. 1688.
Sarah	.	.	.	b. 1671	m. 1691.
Samuel	.	.	.	b. 1674	went to England.
Abigail	.	.	.	b. 1677	m. ?
Hannah	.	.	.	b. 1680	m. 1698.
Jerusha	.	.	.	b. 1684	m. 1710.
Catherine	.	.	.	b. 1682	d. 1683.

FAMILY OF SAMUEL SEWALL.

1. John	.	.	.	b. 1677	d. 1678.
2. Samuel	.	.	.	b. 1678	m. 1702.
3. Hannah	.	.	.	b. 1680	d. (unmarried) 1724.
4. Elizabeth	.	.	.	b. 1681	m. 1700.
5. Hull	.	.	.	b. 1684	d. 1686.

6. Henry	.	.	.	<i>b.</i> 1685	<i>d.</i> 1685.
7. Stephen	.	.	.	<i>b.</i> 1687	<i>d.</i> 1687.
8. Joseph	.	.	.	<i>b.</i> 1688	<i>m.</i> 1713.
9. Judith	.	.	.	<i>b.</i> 1690	<i>d.</i> 1690.
10. Mary	.	.	.	<i>b.</i> 1691	<i>m.</i> 1709.
11. Jane	.	.	.	<i>b.</i> 1693	<i>d.</i> 1693.
12. Sarah	.	.	.	<i>b.</i> 1694	<i>d.</i> ?
13. Judith	.	.	.	<i>b.</i> 1702	<i>m.</i> 1720.

Of the eight children of John and Margaret Winthrop, all born in New England, half died in infancy. Of Cotton Mather's nine children five died in infancy.

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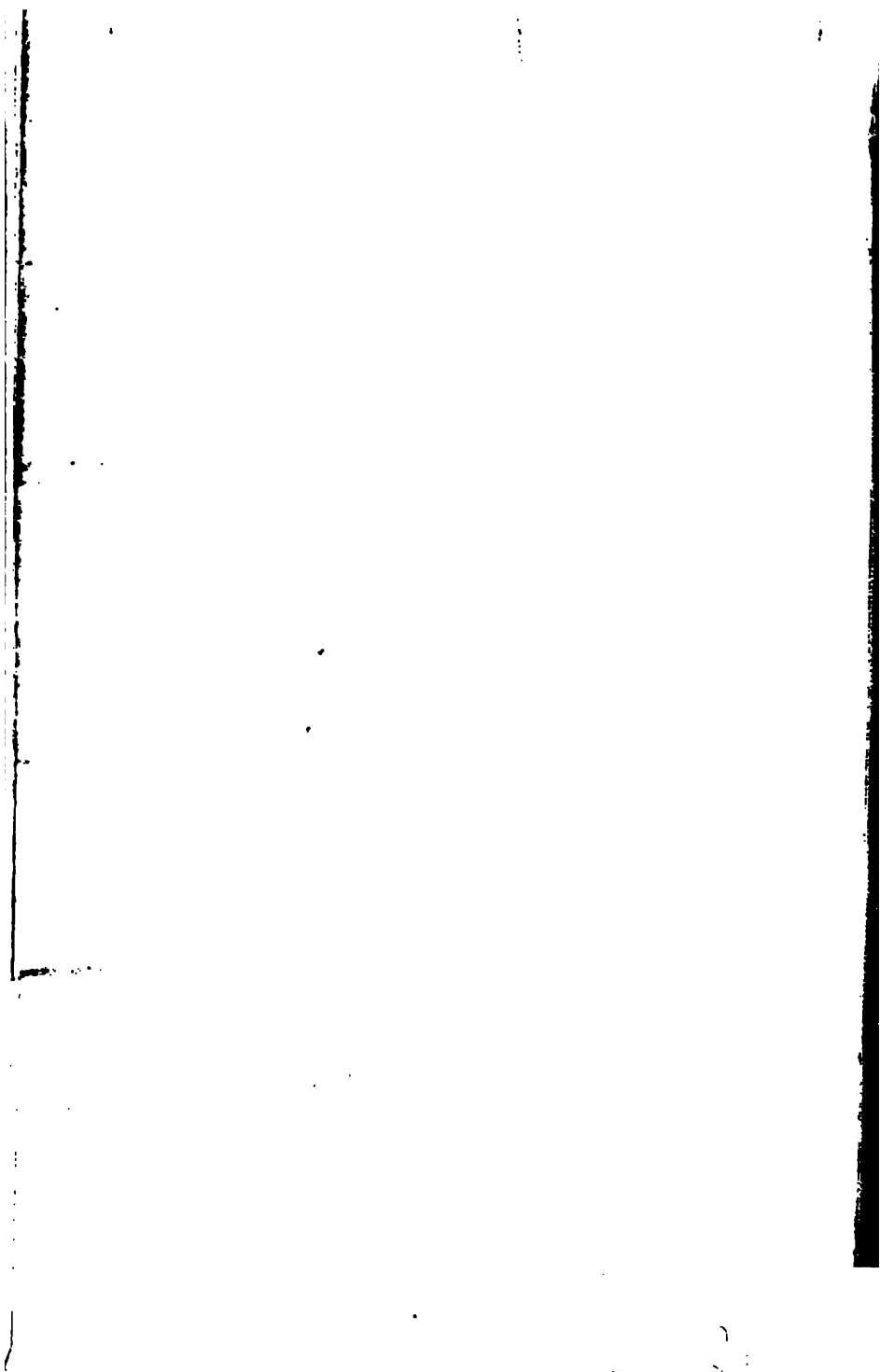
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